



Agenda
Planning Commission Meeting
Wednesday, June 26, 2019
City Hall Council Chambers | 625 Swift Boulevard

Commission Members: Chair Palmer, Vice-Chair Boring, and Commissioners Eadie, Keuhlen, Maier, Mealer, and Townsend

Liaisons: Council Liaison Alvarez and Alternate Council Liaison Lemley
Staff Liaison: Planning Manager Stevens

Regular Meeting - 6:00 p.m. (City Hall Council Chamber)

Welcome and Roll Call

Approval of Agenda: (Approved by Motion)

Approval of Minutes: (Approved by Motion)

May 22, 2019 Meeting Minutes

June 12, 2019 Workshop Minutes

Public Comments:

Public Hearing Explanation:

Old Business - Public Hearing:

1. Draft Title 23 Update (Continued from May 22)

New Business – Public Hearing:

1. 2018-2019 Comprehensive Plan Policy and Map, and Code Amendments (Area-Wide Rezone).
2. SUL2019-100 - Sidewalk Use License - Dovetail Joint Restaurant Sidewalk Cafe

Communications:

Adjournment

The next Planning Commission Workshop is July 10, 2019

The next Planning Commission Meeting is July 24, 2019

This meeting is broadcast live on CityView Channel 192 and online at ci.richland.wa.us

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PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 6/26/2019

Agenda Category: Approval of Minutes

Prepared By: Mike Stevens, Planning Manager

Subject:

May 22, 2019 Meeting Minutes

Request:

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Recommended Motion:

Approve the minutes of the Planning Commission meeting held on May 22, 2019.

Summary:

Attachments:

1. DRAFT PC Mtg Mins 5.22.19



**MINUTES
PLANNING COMMISSION MEETING**
City Hall – 550 Swift Boulevard – Council Chamber
WEDNESDAY, MAY 22, 2019
6:00 PM

Call to Order and Welcome:

Chair Palmer called the meeting to order at 6:00 p.m. and welcomed the public.

Attendance:

Present: Chair Palmer, Vice Chair Boring, Commissioners Eadie, Keuhlen, Townsend and Mealer. Also present were Council Liaison Alvarez, and Planning Manager Stevens. Commissioner Maier arrived at 6:02 p.m.

Approval of Agenda:

Chair Palmer presented the meeting agenda for approval and asked for a motion to approve.

COMMISSIONER BORING MOVED AND COMMISSIONER KEUHLEN SECONDED THE MOTION TO APPROVE THE MAY 22, 2019 MEETING AGENDA AS WRITTEN. MOTION CARRIED 6-0.

Approval of Minutes:

Chair Palmer presented the minutes of the January 23, 2019 meeting for approval.

COMMISSIONER BORING MOVED AND COMMISSIONER EADIE SECONDED THE MOTION TO APPROVE THE MINUTES OF THE JANUARY 23, 2019 MEETING. MOTION CARRIED 6-0.

Chair Palmer presented the minutes of the April 10, 2019 workshop for approval.

Chairman Palmer noted one correction to the workshop minutes. He noted Commissioner Townsend was present.

COMMISSIONER BORING MOVED AND COMMISSIONER MEALER SECONDED THE MOTION TO APPROVE THE MINUTES OF THE APRIL 23, 2019 WORKSHOP AS AMENDED. MOTION CARRIED 6-0.

Chair Palmer presented the minutes of the May 8, 2019 workshop for approval.

Commissioner Townsend noted one correction to the workshop minutes. He noted he was present.

COMMISSIONER BORING MOVED AND COMMISSIONER KEUHLEN SECONDED THE MOTION TO APPROVE THE MINUTES OF THE MAY 8, 2019 WORKSHOP AS AMENDED. MOTION CARRIED 7-0.

Public Comment

Chair Palmer asked the recorder to read the Public Comment Procedures. After the reading of the procedure, **Chair Palmer** opened the public comment period at 6:04 p.m. Having no one come forward Chair Palmer closed the public comment period at 6:04 p.m.

New Business – Public Hearings:

Chair Palmer asked the recorder to read the Public Hearing Procedures. After the reading of the procedure, Chair Palmer opened the public hearing period at 6:16 p.m.

1. 2020-2025 Transportation Improvement Program (TIP)

Transportation & Development Manager Julie West presented the staff report. Ms. West outlined the requirements for cities to complete the TIP annually. She further explained the TIP is a statewide coordinated effort. As Ms. West reviewed each project on the TIP, she provided detail on funding for each.

Commissioner Maier and Townsend asked Ms. West for clarification on a few items covered at the workshop.

Laila Krowiak, 1523 Hains Avenue expressed her appreciation to Public Works Director Pete Rogalsky and the Public Works department on their efforts to design and make improvements to city streets.

Chair Palmer closed the public hearing at 6:18 p.m. and opened commission discussion on the item.

Commissioner Boring thanked staff for conducting the workshop to review the TIP prior to Commission consideration.

Commissioners commented on the positive impacts of transportation improvements throughout the city.

VICE CHAIR BORING MOVED AND COMMISSIONER MAIER SECONDED THE MOTION TO RECOMMEND COUNCIL APPROVAL OF THE 2020-2025 TRANSPORTATION IMPORVEMENT PROGRAM (TIP). MOTION PASSED 7-0.

2. Draft Title 23 Update

Planning Manager Mike Stevens presented the staff report. He pointed out the changes in details and the reason for the code updates. He stated the updates are intended to provide code language to allow code enforcement officers to enforce policies already enacted. Mr. Stevens pointed out the allowance for storage containers to be used for up to 180 days.

Mr. Stevens affirmed notice and comment period.

Chairman Palmer opened the public hearing at 6:27 p.m. No one stepped forward to offer testimony. Chairman Palmer closed the public hearing at 6:27 p.m. and opened the item for Commission discussion.

Commissioners asked questions of Mr. Stevens relative to prevalence of the issue for code enforcement and the reason 180 days was chosen for temporary use. Additional discussion centered on aesthetic and safety concerns.

Mr. Stevens recommended continuing this item to the next meeting to give staff time to revise the draft ordinance to account for Commission recommendations related to section G and E. Commissioners agreed to continue the hearing to date specific June 26, 2019 regular meeting

COMMISSISONER BORING MOVED AND COMMSIONER KEUHLEN SECONDED THE MOTION TO CONTINUE THIS ITEM TO THE JUNE 26, 2019 MEETING. MOTION PASSED UNANIMOUSLY.

Communications:

Mr. Stevens advised Commissioners that Council approved the docket for the 2018-2019 Comprehensive Plan Amendments.

Vice Chair Boring appreciated everyone's participation.

Commissioner Eadie asked for location of next workshop/meeting. Mr. Stevens confirmed the next workshop would take place in the new City Hall building.

Adjournment:

Chairman Palmer adjourned the meeting at 6:45 p.m.

PREPARED BY: Lynne Follett, Executive Assistant
REVIEWED BY: Mike Stevens, Planning Manager



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 6/26/2019

Agenda Category: Approval of Minutes

Prepared By: Mike Stevens, Planning Manager

Subject:

June 12, 2019 Workshop Minutes

Request:

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Recommended Motion:

Approve the minutes of the Planning Commission workshop held on June 12, 2019.

Summary:

Attachments:

1. DRAFT PC Workshop Mins 6.12.19



MINUTES
PLANNING COMMISSION WORKSHOP
City Council Chambers, 625 Swift Blvd.
WEDNESDAY, JUNE 12, 2019
6:00 PM

Call to Order:

Chairman Palmer called the meeting to order at 6:00 p.m.

Attendance:

Present: Chairman Palmer, Vice Chairwoman Boring, Commissioners, Mealer, Keuhlen, Townsend, Maier and Eadie. Planning Manager Stevens, Development Services Director Jensen and Councilman Alvarez were also present.

Agenda Items:

2018-2019 Comprehensive Plan Amendments Docket

Planning Manager Stevens overviewed the docket for Commission consideration. During his presentation he reviewed the procedures for Commission recommendation and the applicable codes and law related to the annual Comprehensive Plan Amendment process.

After Mr. Stevens' presentation, the Commission asked questions and discussed the process as well as each of the applications that will be presented for consideration at the next meeting.

Adjournment:

Chairman Palmer adjourned the meeting at 7:26 p.m.

PREPARED BY: Lynne Follett, Executive Assistant

REVIEWED BY: Mike Stevens, Planning Manager



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 6/26/2019

Agenda Category: New Business – Public Hearing

Prepared By: Mike Stevens, Planning Manager

Subject:

2018-2019 Comprehensive Plan Policy and Map, and Code Amendments (Area-Wide Rezone).

Request:

Recommended Motion:

Staff recommends that the Planning Commission conduct one (or more, if they so choose) public hearing(s), to review the proposed comprehensive plan and code amendments prior to making a formal recommendation to the city county to either adopt or deny the various requests.

Summary:

Yearly review of the City of Richland Comprehensive Plan and associated development regulations. This year's docket consists of five (5) private party applications and three (3) city initiated applications. The applications consist of requests to amend the text of the comprehensive plan, requests to amend the comprehensive plan land use map as well as an associated area-wide rezone to amend the zoning map for consistency with the comprehensive plan land use map.

Once Planning Commission holds one (or more, if they so choose) public hearing(s), they may vote to consider to recommend the docket as proposed or with changes to the City Council and thereby forward the docket to the council for consideration.

Attachments:

1. 2018-2019 PC Comp Plan FULL REPORT
2. Bethel Referral Packet_Reduced Size
3. Northstone Richland Referral Packet
4. Bush Lot 2 Referral Packet
5. Bush Lot 4 Referral Packet
6. City Property Referral Packet
7. Fire Station Map Amendment Referral Packet
8. Brad Rew Referral Packet
9. Fire Station Referral Packet

STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: CPA2019-100

PREPARED BY: MIKE STEVENS
HEARING DATE: JUNE 26, 2019

This report includes detailed analyses and the attachments are lengthy. Here is a general outline of how this report is organized:

- Background
- Processing Timeline *and* Notes on Next Steps for Processing
- Overview of Proposed Comprehensive Plan Amendments
- Analysis of the Brad Rew Application (CPA2018-103)
- Analysis of the Bethel Church Application (CPA2019-101 & Z2019-101)
- Analysis of the North Stone Richland, LLC Application (CPA2019-102 & Z2018-102)
- Analysis of the Tim Bush, Lot 2, Application (CPA2019-103 & Z2019-103)
- Analysis of the Tim Bush, Lot 4, Application (CPA2019-104 & Z2019-104)
- Analysis of the Richland Fire Dept. Application (CPA2018-102 & Z2018-105)
- Analysis of the City-Initiated Proposed Amendments (CPA2018-105 & Z2019-105)
- Analysis of the Richland Fire Dept. Text Amendment Application (CPA2018-104)
- Analysis of the Area-Wide Rezone
- Staff Recommendation
- Suggested Conclusions of Law and Suggested Findings of Fact
- Recommended Motion
- List of Attachments

BACKGROUND

In accordance with RMC 19.90.060; the City Council shall consider each comprehensive plan amendment and forward those selected to the Planning Commission for processing. Plan amendment applications may be submitted via private application and/or proposed by City Staff and the Council.

The Comprehensive Plan serves as a policy document which sets forth guiding principles to ensure smart growth and desirable development occurs. The document conveys policy and plans to accommodate 20 years of growth and development, looking to provide strategic plans to provide needed services and amenities far into the future. The City's Comprehensive Plan is intended to be an all-inclusive document that should bring together various planning documents such as the City's Economic Development Strategic Plan, Park Plan, Transportation, Capital Facilities and financial/budgetary plans.

The City's Comprehensive Plan should be well understood by City Council, Boards and Commissions, and City Staff; and most importantly should bring together Council's vision and various plans into an integrated and effective planning tool. In doing so, city leaders ensure lasting health and vitality for the current citizenry. The Comprehensive Plan serves as a living document to guide land-use decisions well into the future.

Council has also directed staff to ensure a public process that is open and transparent to the public, creating a more vital and competitive community, developing quality neighborhoods and business centers, and ensuring smart growth planning principles are used.

PROCESSING COMPLETED UNTIL NOW

The following key dates and milestones describe action and processing taken by staff, the Planning Commission, and Council to date on the 2018-2019 Docket.

- March 1, 2019: Deadline for Private Party Application submission
 - Five (5) private party applications were received and deemed complete

- One additional private party application was received but was subsequently withdrawn by the property owner/applicant prior to the March 1, 2019 deadline and therefore was not processed further
- April 23, 2019: City Council Workshop to review the 2018-2019 Comprehensive Plan Amendment Docket
- May 7, 2019: City Council Public Hearing Establishing the 2018-2019 Comprehensive Plan Amendment Docket and forwarding the docket to the Planning Commission for processing
- June 5, 2019: Notice of Intent to Adopt Amendment 60 Days Prior to Adoption sent to the Department of Commerce by the City's Community Development Department
- June 12, 2019: Planning Commission Workshop to review the 2018-2019 Comprehensive Plan Amendment Docket
- June 5, 2019: Notice of Public Hearing
 - Notice of the Planning Commission June 26, 2019 Public Hearing was mailed to affected parcels and those neighboring properties within 300-feet of parcels under consideration.
 - A notice of public hearing was published in the newspaper and posted at City Hall and the City's website.
- Pending Land Use Action signs were posted at the properties on June 12, 2019.
- June 21, 2019: SEPA Threshold Determination of Non-Significance issued by the City's Development Services Department

NEXT STEPS REQUIRED FOR PROCESSING

The city is not required to approve/ disapprove a proposed Comprehensive Plan amendment in the same calendar year and as a result of staff shortages, the 2018 Comprehensive Plan amendment proposals have been combined with the 2019 amendment proposals thus creating the combined 2018-2019 Comprehensive Plan Amendment Docket.

Once Planning Commission holds one (or more, if they so choose) public hearing(s), they may vote to consider to recommend the docket as proposed or with changes to the City Council and thereby forward the docket to the council for consideration.

Next, the City Council shall consider the Planning Commission's recommendations and decide to either adopt or deny the amendments during a regular council meeting. If the Council makes any changes to the Planning Commission's recommendation, the Council is required to hold a public hearing (per RCW 36.70A.035(2)). Comprehensive plan amendments that are approved are to be adopted by ordinance and any amendments that are rejected are addressed in a resolution.

Following Council action, the Planning Division will then transmit a copy of the amendments and adopted ordinances to the State Department of Commerce who will review the submission for compliance with the State's Growth Management Act.

OVERVIEW

The 2018-2019 Comprehensive Plan Docket includes the following changes; *staff evaluation including findings and conclusions for the proposed amendments are provided later in this report:*

Part One: Private Party Applications	
APPLICANT: Brad Rew (HJBT Properties) – Horn Rapids Golf <u>Change the Comprehensive Plan Map:</u> Designate approximately 1.99 acres as Medium Density Residential (from Developed Open Space).	The applicant would like the comprehensive plan designation changed from Developed Open Space (DOS) to Medium Density Residential. The site is currently developed as a parking lot for the Horn Rapids Golf Course.

<u>APPLICANT: Bethel Church.</u> <u>Change the Comprehensive Plan Map:</u> Change the comprehensive plan designation on two (2) approximately 5-acre sized lots from Low Density Residential to High Density Residential.	The applicant would like the comprehensive plan designation and zoning designation to be changed from Low Density Residential (R-1-12) to High Density Residential (R-3). The applicant has indicated that the subject property will be developed with multi-family residential housing (senior housing) or a nursing home facility. Staff recommends an area-wide rezone to change the zoning for the site to Multi-Family Residential (R-3) subject to a Development Agreement limiting the list of allowable uses. The site is currently undeveloped / vacant with a small portion dedicated to an irrigation pond (KID).
<u>APPLICANT: North Stone Richland, LLC.</u> <u>Change the Comprehensive Plan Map:</u> Change the comprehensive plan designation from Low Density Residential to Medium Density Residential. The site is located within an undeveloped area of Horn Rapids west of the 4th Hole Fairway.	The applicant would like the comprehensive plan designation and zoning designation to be changed from Low Density Residential (R-1-10) to Medium Density Residential (R-2S). The applicant has indicated that the subject property will be developed with single-family housing similar in size and appearance to neighboring developments within the Horn Rapids area. Staff recommends an area-wide rezone to change the zoning for the site to Medium Family Residential (R-2S). The site is currently undeveloped / vacant.
<u>APPLICANT: Tim Bush.</u> <u>Change the Comprehensive Plan Map:</u> Change the comprehensive plan designation on Lot 2 of Short Plat No. 3592 (approximately 1.8 -acres) from Public Facility to High Density Residential.	The applicant would like the comprehensive plan designation and zoning designation to be changed from Public Facility (PPF) to High Density Residential (R-3). The applicant has indicated that the subject property will be developed with multi-family residential housing. Staff recommends an area-wide rezone to change the zoning for the site to Multi-Family Residential (R-3. The site is currently undeveloped / vacant.
<u>APPLICANT: Tim Bush.</u> <u>Change the Comprehensive Plan Map:</u> Change the comprehensive plan designation on Lot 4 of Short Plat No. 3592 (approximately 2-acres) from Public Facility to Commercial.	The applicant would like the comprehensive plan designation and zoning designation to be changed from Public Facility (PPF) to Commercial (C???). The applicant has indicated that the subject property will be developed with a yet to be determined commercial development. Staff recommends an area-wide rezone to change the zoning for the site to Retail Business (C-2). The site is currently undeveloped / vacant.

Part Two: City of Richland Proposed Changes	
<u>APPLICANT: City of Richland Fire Dept.</u> <u>Change the Comprehensive Plan Map:</u> Designate approximately 2 acres Parks & Public Facilities (Parks & Public Facilities Zoning District) on property located at the intersection of SR 240 and Stevens Drive.	The applicant would like the comprehensive plan designation and zoning designation to be changed to Public Facilities from unassigned/undesigned. The applicant has indicated that the subject property will be the location of a future fire station should the comprehensive plan designation and zoning designation be successful. Staff recommends an area-wide rezone to change the zoning for the site to Parks & Public Facilities (PPF). The site is currently undeveloped / vacant.
<u>APPLICANT: City of Richland Development Services Dept.</u> <u>Change the Comprehensive Plan Map:</u> Filed by the City of Richland to change land use designations and zoning districts on portions of city owned properties located at Leslie Grove Park, Howard Amon Park, Amon Preserve and W.E. Johnson Park.	Staff is proposing a number of suggested housekeeping corrections to both the comprehensive plan land use map as well as the zoning map. The proposed changes are intended to correct mapping discrepancies from the 2017 Comprehensive Plan Update. The proposed changes would occur entirely upon land owned or leased by the City of Richland.
<u>APPLICANT: City of Richland Fire Dept.</u> <u>Comprehensive Plan Text Amendment:</u>	The Fire Department requests minor amendment to the Capital Facilities Element be adopted.

ANALYSIS OF PRIVATE PARTY APPLICATION: BRAD REW – HORN RAPIDS GOLF COURSE (CPA2018-103).

DESCRIPTION OF PROPOSAL

Brad Rew (HJBT Properties) is the owner of the Horn Rapids Golf Course. Mr. Rew is proposing to change the comprehensive plan land use designation on approximately 1.99 acres of the site from its current Developed Open Space designation to the Medium Density Residential designation.



Figure 1 – Vicinity Map *(site highlighted in red)*

SITE DESCRIPTION & ADJACENT LAND USES

The subject site is approximately 1.99 acres in size and is a small portion of the overall Horn Rapids Golf Course. The area in question currently contains the paved parking lot used for patrons using the golf course / club house facility. The subject site is roughly square in shape, whose borders are formed by the golf course on the west, Club House Lane on the north, River Valley Drive on the east and undeveloped land on the south. The site is level and is currently in a paved parking lot. Property to the east of River Valley Drive contains the community pool and recreation area as well as a paved parking lot and tennis courts. Property to the north currently contains the Clubhouse Lane right-of-way and Horn Rapids Golf Course clubhouse, while property to the west is the 18th Fairway / Green.

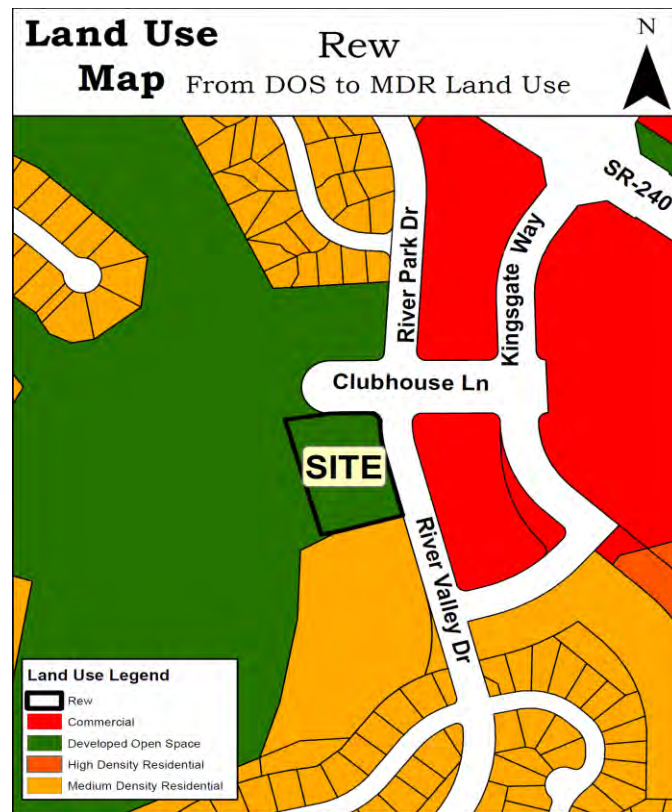


Figure 2 – Comprehensive Plan

COMPREHENSIVE PLAN

The site is designated as Developed Open Space under the City's current comprehensive plan. The adjacent properties to the east of River Valley Drive are designated as commercial and the undeveloped land located to the south of the site is designated as Medium Density Residential.

The plan defines Developed Open Space lands as follows:

This category includes golf courses, federal power transmission and irrigation wasteway easements, private open space, riverfront parks, undeveloped parks, and parks intended for long-term open space.

The High Density Residential land use category is described as follows:

The MDR category includes single-family residential uses with an average density of eight dwelling units per acre.

The comprehensive plan identifies the following goals and policies that pertain to this amendment request:

LU Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 2 – Facilitate planned growth and infill developments within the city.

LU Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1 – Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.

LU Goal 3: *Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.*

Policy 1 – *Distribute residential uses and densities throughout the urban growth area consistent with the City’s vision.*

Policy 2 – *Encourage higher residential densities especially in and near the Central Business District area.*

Policy 3 – *Innovative and non-traditional residential developments can occur through the use of planned unit developments, density bonuses, new types of housing, and multi-use or mixed-use developments.*

HE Goal 1: Provide a range of housing densities, sizes, and types for all income and age groups of the Richland community.

ZONING

Property to the north / northwest is zoned AG – Agricultural. Property to the south is zoned PUD – Planned Unit Development and the property on the east side of River Valley Drive is zoned C-1 - Neighborhood Commercial.

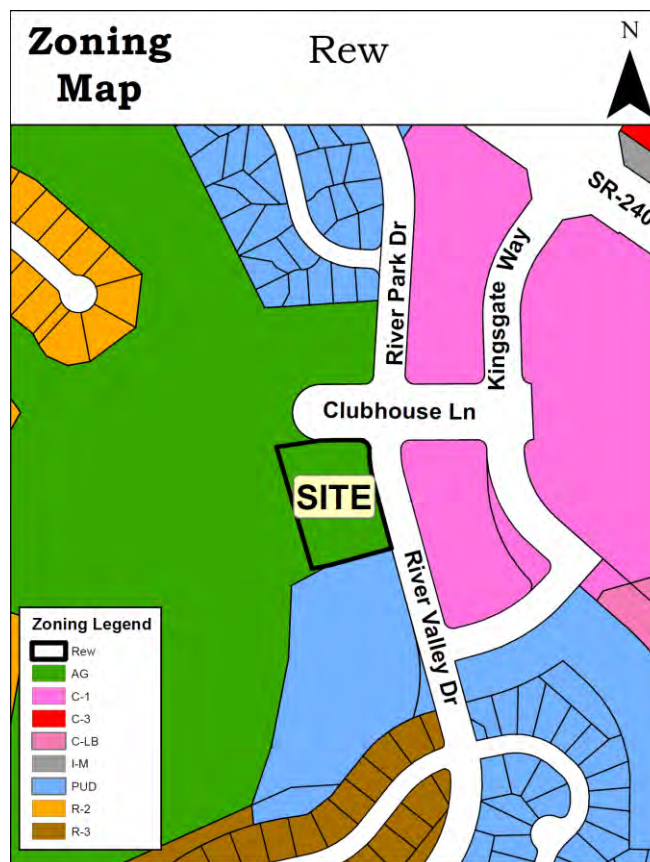


Figure 4 – Existing Zoning

UTILITY AVAILABILITY

There is an existing 18 inch sewer main located within River Valley Drive and an 8 inch sewer main located within Clubhouse Lane. The site contains an existing 6 inch water line extending from an existing water main located within Clubhouse Lane. Electrical power is also available to the site.

TRANSPORTATION

Clubhouse Lane and River Valley Drive currently provide access to the subject property.

ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2018-2019 Comprehensive Plan Docket on June 21, 2019. A copy of the checklist and determination of non-significance is attached.

ANALYSIS

The applicant recently purchased the Horn Rapids Golf Course and plans to make many necessary improvements to the golf course, clubhouse and related facilities. However, in order to fund the proposed improvements the applicant is proposing to develop the subject site and the undeveloped land to the south (zoned PUD) into a townhouse style residential neighborhood. However, in order to utilize the 1.99 acres for residential purposes, the applicant must have the comprehensive plan designation changed from Developed Open Space (DOS) to Medium Density Residential. Ultimately, the plan is to apply for a rezone and subdivision through the City's Hearing Examiner review process, but the first step is the requested map amendment.

The Horn Rapids Golf Course, including this site, contains a deed restriction which was placed on the property when the city sold the land to the previous owner in 2005. The deed restriction indicates that the "golf course" shall only be used as a golf course (and appurtenant facilities). The applicant is working with the city and neighboring land owners to develop a residential concept that is acceptable to all parties prior to approaching the city council to amend the deed restriction. While this is an important piece in the overall development of the site, it is not something that the Planning Commission should dwell on as the restriction would be in place regardless of how the property is designated by the comprehensive plan. The ultimate and final decision will be made by the city council during an alternate process.

APPROVAL CRITERIA

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the comprehensive plan?

Circumstances regarding the ownership of the Horn Rapids Golf Course have changed since the last major update of the comprehensive plan. The property was sold to the applicant in February, 2019 resulting in the new ownership having plans and visions for the golf course which have changed from the previous ownership.

2. Are the assumptions upon which the comprehensive plan is based no longer valid, or is new information available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments?

The current comprehensive plan assumes that the existing parking lot area of the golf course would not be developed or needed for additional residential development. With the new vision/plans of the applicant, the location of the clubhouse parking lot will be relocated to another portion of the golf course, thus freeing up this approximately 1.99 acres of land for further development. As indicated within the application materials, the proponent has plans to develop this site in conjunction with land south of the site into a residential townhome community. This plan is important to the applicant as the monies generated from sales of the townhome development will be used to provide much needed improvements to the existing Horn Rapids Golf Course facility.

SUMMARY

Approval of the proposed comprehensive plan amendment would provide the applicant an opportunity to develop the site as part of an overall townhome community.

ANALYSIS OF PRIVATE PARTY APPLICATION: BETHEL CHURCH (CPA2019-101).

DESCRIPTION OF PROPOSAL

Bethel Church is the owner of two (2) approximately 5-acre parcels located north of Shockley Road and immediately west of Bethel Church. The church is requesting an amendment to the comprehensive plan land use designation for these parcels from their current Low Density Residential designation to a High Density Residential designation.



Figure 1 – Vicinity Map *(site highlighted in red)*

SITE DESCRIPTION & ADJACENT LAND USES

The site consists of two (2) approximately 5-acre parcels, rectangular in shape, whose borders are formed by Shockley Road to the south, Bethel Church to the east and private properties to the north and west. The site is relatively level and is currently undeveloped with the exception of a KID irrigation pond located in the very southwest corner of the site (approximately 2 acres in size). The property located immediately south of Shockley Road is single-family residential in nature with a portion located within unincorporated Benton County (Donut Hole).

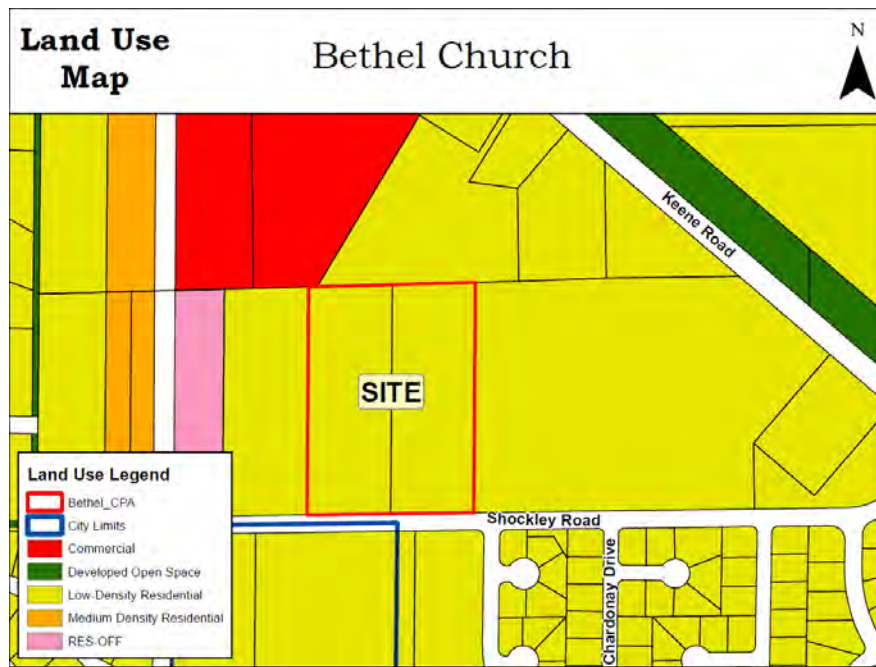


Figure 2 – Comprehensive Plan

COMPREHENSIVE PLAN

The site is designated as Low Density Residential under the City's current comprehensive plan as are the adjacent properties to the east, west, south and northeast. The property located northwest of the subject site is currently designated as commercial.

The plan defines Low Density Residential lands as follows:

The LDR category includes single-family residential uses with an average density of 3.5 dwelling units per acre.

The High Density Residential land use category is described as follows:

The HDR category includes multifamily residential uses with an average density of 15 dwelling units per acre. In transitional areas between more intensive commercial uses and lower density residential uses, limited office/institutional uses may also be located within the HDR designated areas.

The comprehensive plan identifies the following goals and policies that pertain to this amendment request:

LU Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 2 – *Facilitate planned growth and infill developments within the city.*

LU Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1 – *Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.*

LU Goal 3: Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 1 – *Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.*

Policy 2 – *Encourage higher residential densities especially in and near the Central Business District area.*

Policy 3 – *Innovative and non-traditional residential developments can occur through the use of planned unit developments, density bonuses, new types of housing, and multi-use or mixed-use developments.*

HE Goal 1: Provide a range of housing densities, sizes, and types for all income and age groups of the Richland community.

ZONING

Property to the east (Bethel Church) is zoned R-1-12 - Low Density Residential while properties to the north and west are zoned AG – Agricultural. , west, south and immediately adjacent to the east is zoned AG - Agricultural. Properties within the city limits located to the south are zoned R-1-10 – Low Density Residential and SAG (Suburban Agricultural) – Low Density Residential. The unincorporated area to the south / southwest is zoned UGAR – Urban Growth Area Residential by Benton County.

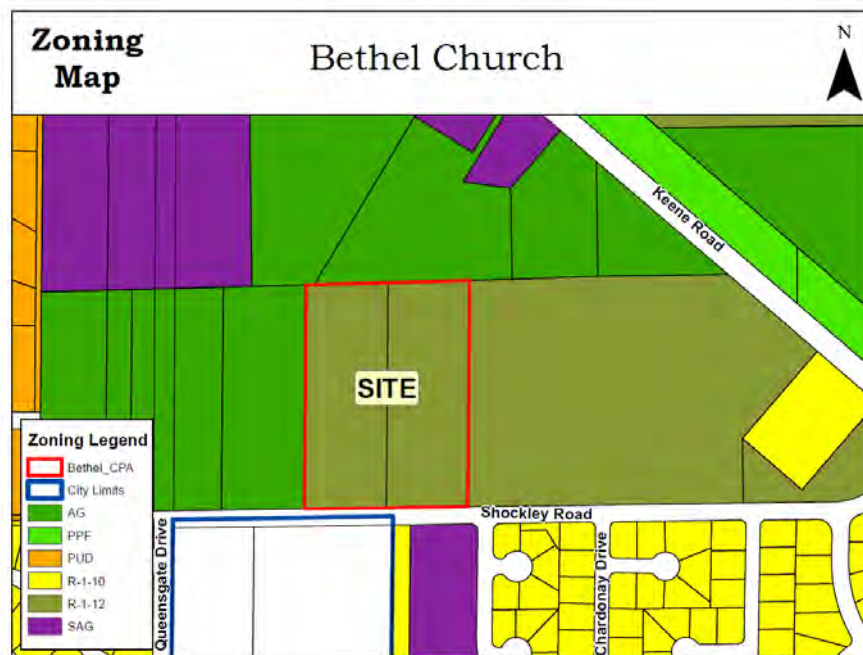


Figure 4 – Existing Zoning

UTILITY AVAILABILITY

There is an existing 16 inch water main located south of the site within Shockley Road as well as an 8' sewer main. Electrical power is also available to the site.

TRANSPORTATION

Access to the site is via Shockley Road, which extends westerly from Keene Road.

ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2018-2019 Comprehensive Plan Docket on June 21, 2019. A copy of the checklist and determination of non-significance is attached.

ANALYSIS

The requested comprehensive plan change and subsequent change of zoning to Multi-Family Residential (R-3) seems to be contrary to the existing and long-term development pattern in the adjacent vicinity although the applicant's intended use of the property for senior housing or assisted living is generally needed in the community. As can be seen on the comprehensive plan land use map and zoning map, the lands adjacent to the site are primarily low-density in nature with Agriculture, Suburban Agriculture, R-1-10 and R-1-12 zoning designations. The applicants are proposing a property use and development agreement be placed on the amendment which would eliminate uses that are normally permitted in the R-3 zone. Those uses are: Apartments, dormitories, fraternities and sororities, manufactured home parks and recreational vehicle parks. However, uses such as schools, day care centers and bed and breakfasts will still be allowed.

The application indicates that the majority of the housing in the area is detached single-family in nature with relatively few, if any, options for seniors. Staff recommends that the Planning Commission discuss with the applicant the possibility of limiting the use of the site even further through the property use and development agreement to only allow the property to be utilized for an assisted living facility, nursing or rest home or senior housing. This would guarantee that the site is used solely for senior housing, which appears to be the main intent of the amendment request.

APPROVAL CRITERIA

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the comprehensive plan?

Staff is unaware of any circumstances which have changed in the vicinity since the adoption of the updated comprehensive plan in 2017. The overall development pattern in the area is low-density in nature and will remain so due to the existing land use designations and zoning.

2. Are the assumptions upon which the comprehensive plan is based no longer valid, or is new information available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments?

The assumptions on which the comprehensive plan is based still appear to be valid as there has not been an increase in requests to increase the density or change the land use designations in the area until the submittal of this proposal. Changing the land use designation to high density residential without placing restrictions on the allowable list of permitted uses within the zoning appears to be contrary to how the neighborhood has developed. Again, staff recommends that discussion with the applicant occur to possibly limit even further the list of allowable land uses should the commission feel that the use of the site solely for senior housing is an allowable option.

SUMMARY

Approval of the proposed comprehensive plan amendment with appropriate restrictions placed on the subsequent zoning change could provide a much needed housing option for older citizens in an area that is less congested than other areas of town.

ANALYSIS OF PRIVATE PARTY APPLICATION: NORTH STONE RICHLAND, LLC (CPA2019-102).

DESCRIPTION OF PROPOSAL

Stew Stone, owner of North Stone Richland, LLC is proposing to change the land use classification from Low-Density Residential to Medium-Density Residential on approximately 12.55 acres of land located west of the Horn Rapids Golf Course. Mr. Stone has also requested that the site of the land use change be rezoned from R-1-10 to R-2S so that he can continue to develop the area in a consistent manner. The proposal also requests to change the zoning of an additional 16.63 acres of land from R-2 to R-2S located north of the proposed comprehensive plan land use change location. A change from R-2 to R-2S is permitted within the Medium-Density Residential land use classification.

A portion of the land that is proposed for re-classification is currently owned by the City of Richland; however, Mr. Stone has right of first refusal on much of the undeveloped city owned land in the Horn Rapids area. As a result, he will be purchasing the land from the city and will be submitting a subdivision proposal shortly after the comprehensive plan and zoning map changes go into effect. Given the contract Mr. Stone has with the city it was prudent for him to be the applicant.



Figure 1 – Vicinity Map *(site highlighted in red)*

SITE DESCRIPTION & ADJACENT LAND USES

The site consists of undeveloped land that varies in topography from flat to rolling hills. To the west is additional land owned by the City of Richland (near Twin Bridges Road) and to the east is land that has been developed as single-family residential around the Horn Rapids Golf Course. Land to the north is currently undeveloped and land to the south is within unincorporated Benton County.

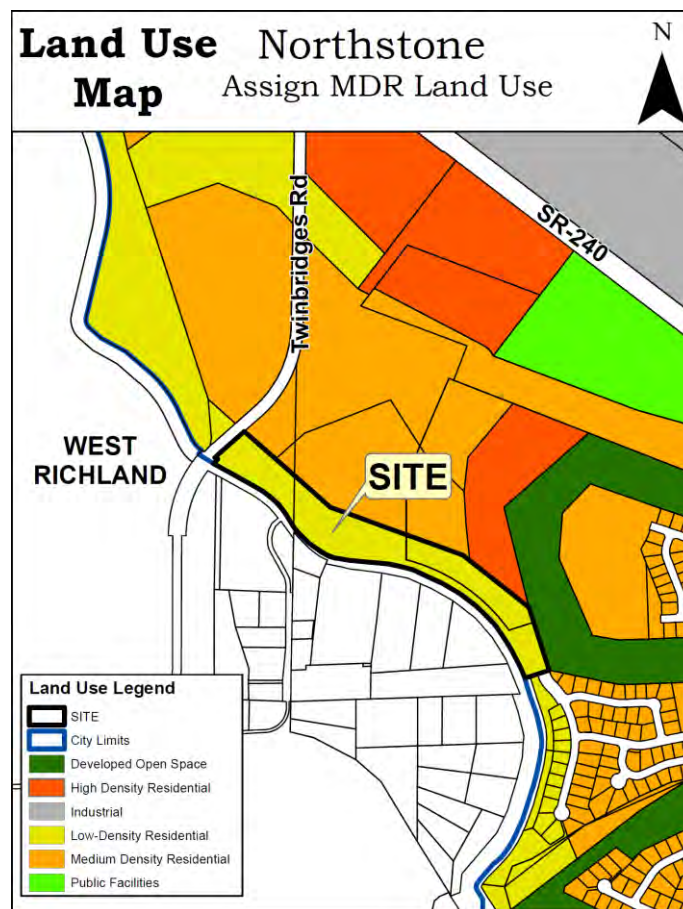


Figure 2 – Comprehensive Plan

COMPREHENSIVE PLAN

The site is designated as both Low Density Residential and Medium Density Residential under the City's current comprehensive plan. Adjacent properties within the city limits are designated as Low, Medium and High Density Residential (with the Horn Rapids Golf Course designated as Developed Open Space (DOS)).

The plan defines Low Density lands as follows:

The LDR category includes single-family residential uses with an average density of 3.5 dwelling units per acre.

The plan defines Medium Density lands as follows:

The MDR category includes single-family residential uses with an average density of eight dwelling units per acre.

The comprehensive plan identifies the following goals and policies that pertain to this amendment request:

LU Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 2 – Facilitate planned growth and infill developments within the City.

LU Goal 3: Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 2 – Encourage higher residential densities especially in and near the Central Business District area.

ZONING

Properties located adjacent to the proposed sites are zoned primarily Multifamily Residential (R-3) and Agricultural (Golf Course).

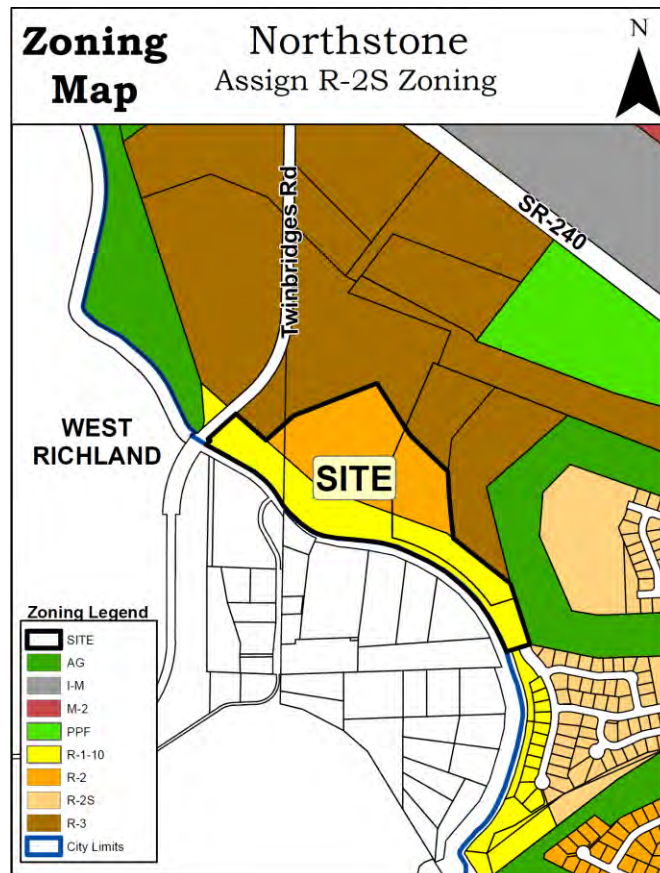


Figure 4 – Existing Zoning

UTILITY AVAILABILITY

Utilities necessary to accommodate future development in the area are located within close proximity to the subject property.

TRANSPORTATION

State Route 240 is located north of the site and provides the major form of transportation to the area. New city streets will be built and dedicated throughout any/all new developments. Twin Bridges Road that provides connectivity to West Richland is also located to the west of the subject property.

ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2018-2019 Comprehensive Plan Docket on June 21, 2019. A copy of the checklist and determination of non-significance is attached.

ANALYSIS

The proposed land use change appears to be compatible with the existing and proposed land use patterns in the area. It is likely that the Low-Density Residential (R-1-10) designation/zone was placed upon the southern portion of

the site as either a buffer from the undeveloped county land or to create larger view lots having the ability to take in the view towards the Yakima River and Flat Top Mountain. Approving the proposed changes will not result in a different type of housing type or neighborhood character as the developer will continue to build in a manner similar to what has already occurred. Much of the land in the Horn Rapids area that has been developed is zoned R-2S, which is what the applicant would like this land to be zoned.

APPROVAL CRITERIA

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the comprehensive plan?

The ownership of the property in question is the circumstance which has changed since the 2017 Comprehensive Plan Periodic Update. Prior to the 2017 comprehensive plan update it was not known who the owner of the subject property would be. As a result, no changes to the comprehensive plan land use designations were explored. Now that it is known who the ownership will be, it makes sense to designate and rezone the land in a manner that will result in the extension of new housing developments/housing products similar to what currently exists in the area.

2. Are the assumptions upon which the comprehensive plan is based no longer valid, or is new information available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments?

As indicated above, the ownership of the land in question was not certain prior to the 2017 periodic update. In order to maintain a consistent community feel throughout the Horn Rapids area, the applicant is requesting the proposed land use and zoning amendments. The proposed amendments will allow the developer to maintain the same residential nature/feel throughout the entire Horn Rapids community.

SUMMARY

Approval of the proposed comprehensive plan amendment is a logical extension of residential land uses in the Horn Rapids community.

ANALYSIS OF PRIVATE PARTY APPLICATION: TIM BUSH, LOT 2 (CPA2019-103).

DESCRIPTION OF PROPOSAL

Tim Bush (Bush Living Trust) is the owner of a 1.81 acre parcel located north of Duportail Street between Wellhouse Loop and Thayer Drive and is requesting an amendment to the comprehensive plan land use designation on this site from its current Developed Open Space designation to a High Density Residential designation.



Figure 1 – Vicinity Map (site highlighted in red)

SITE DESCRIPTION & ADJACENT LAND USES

The site is approximately 1.81 acres in size and borders Duportail Street on the south. There is a masonic lodge immediately west of the site and there are churches located to the northwest and to the southwest of the site. The City of Richland and Richland School District own lands bordering the site to the south, east and north/northeast. The site is relatively steep sloping from its highest elevation along the western property line to the lowest elevation along the eastern property line. The City of Richland reserved an access easement across a portion of the property for the existing bike and pedestrian pathway that bisects the lot from north to south.

The subject property was considered part of Lawless Park, but was designated by the Richland City Council as surplus in December, 2018 and subsequently sold to Mr. Bush.



Figure 2 – Comprehensive Plan

COMPREHENSIVE PLAN

The site is designated as Developed Open Space under the City's current comprehensive plan. The adjacent properties to the east are designated as Commercial, properties to the west are designated as Low Density Residential and properties to the north and south are designated Developed Open Space and Public Facilities.

The plan defines Developed Open Space as follows:

This category includes golf courses, federal power transmission and irrigation wasteway easements, private open space, riverfront parks, undeveloped parks, and parks intended for long-term open space.

The High Density Residential and use category is described as follows:

The HDR category includes multifamily residential uses with an average density of 15 dwelling units per acre. In transitional areas between more intensive commercial uses and lower density residential uses, limited office/institutional uses may also be located within the HDR designated areas.

The comprehensive plan identifies the following goals and policies that pertain to this amendment request:

ED Goal 6: Encourage vibrant mixed-use areas to establish Richland as the premier Tri-Cities destination to live, work, and visit by offering options for housing, services, entertainment, and retail.

Policy 6 – Expand the range of options for housing in areas planned for higher density development.

Policy 7 – Support development of higher density housing.

LU Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 2 – *Facilitate planned growth and infill developments within the city.*

LU Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1 – *Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.*

LU Goal 3: Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 1 – *Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.*

Policy 2 – *Encourage higher residential densities especially in and near the Central Business District area.*

Policy 3 – *Innovative and non-traditional residential developments can occur through the use of planned unit developments, density bonuses, new types of housing, and multi-use or mixed-use developments.*

HE Goal 1: Provide a range of housing densities, sizes, and types for all income and age groups of the Richland community.

CF Goal 1: Ensure that adequate infrastructure and public facilities exist or can be provided concurrent with new development takes place.

Policy 1 – *The City will strive to ensure convenient and safe student access to school sites.*

CF Goal 4: Provide an integrated system of parks, recreation facilities, trails, and open spaces as an asset consistent with the Parks, Trails, Open Space, and Facilities Master Plan that enhances the community's quality of life.

ZONING

Properties to the west are zoned R-1-12, properties to the north and south are zoned Parks & Public Facilities (PPF), while properties located to the east are zoned General Business (C-3).



Figure 4 – Existing Zoning

UTILITY AVAILABILITY

There is an existing 10 inch sewer main bisecting the property. The site also has easy access to existing pressurized water mains located adjacent to the site. Electrical power is also available to the site.

TRANSPORTATION

Duportail Street is classified as a minor arterial in the City's Transportation Plan. As such, direct access is allowed provided all necessary right-of-way permits are obtained.

ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2018-2019 Comprehensive Plan Docket on June 21, 2019. A copy of the checklist and determination of non-significance is attached.

ANALYSIS

As indicated above, the site is approximately 1.81 acres in size, slopes from west to east and is located between low-density residential areas and commercial areas. Properties to the north and south are owned by either the City of Richland or Richland School District and are designated as Public Facilities by the city's land use plan.

The City of Richland determined this property to be excess to the city's needs and surplused the property in December, 2018. The current owner/applicant has indicated that he would like to have the site changed to a high-density land use designation (R-3 zoning) in order to construct apartments/condos at the site in order to increase

housing choices in the area.

APPROVAL CRITERIA

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the comprehensive plan?

Yes, circumstances have changed as the site in question was determined to be excess to the city's needs and was subsequently sold to the current owner in December, 2018. The comprehensive plan indicates that only lands utilized for open space or park purposes should be designated as Developed Open Space by the comprehensive plan land use map.

2. Are the assumptions upon which the comprehensive plan is based no longer valid, or is new information available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments?

Again, circumstances have changed due to the sale of the property from the city to the current owner. This information was not known at the time of the 2017 comprehensive plan periodic update and is thus being reviewed at this time.

SUMMARY

Approval of the proposed comprehensive plan amendment is a logical land use designation providing a residential buffer between low-density residential areas to the west and the commercial land uses to the east.

ANALYSIS OF PRIVATE PARTY APPLICATION: TIM BUSH, LOT 4 (CPA2019-104).

DESCRIPTION OF PROPOSAL

Tim Bush (Bush Living Trust) is the owner of an approximately 2 acre parcel located south of Lawless Drive and east of the Thayer Drive/Lawless Drive intersection. Mr. Bush is requesting an amendment to the comprehensive plan land use designation on this site from its current Developed Open Space designation to a Commercial designation.

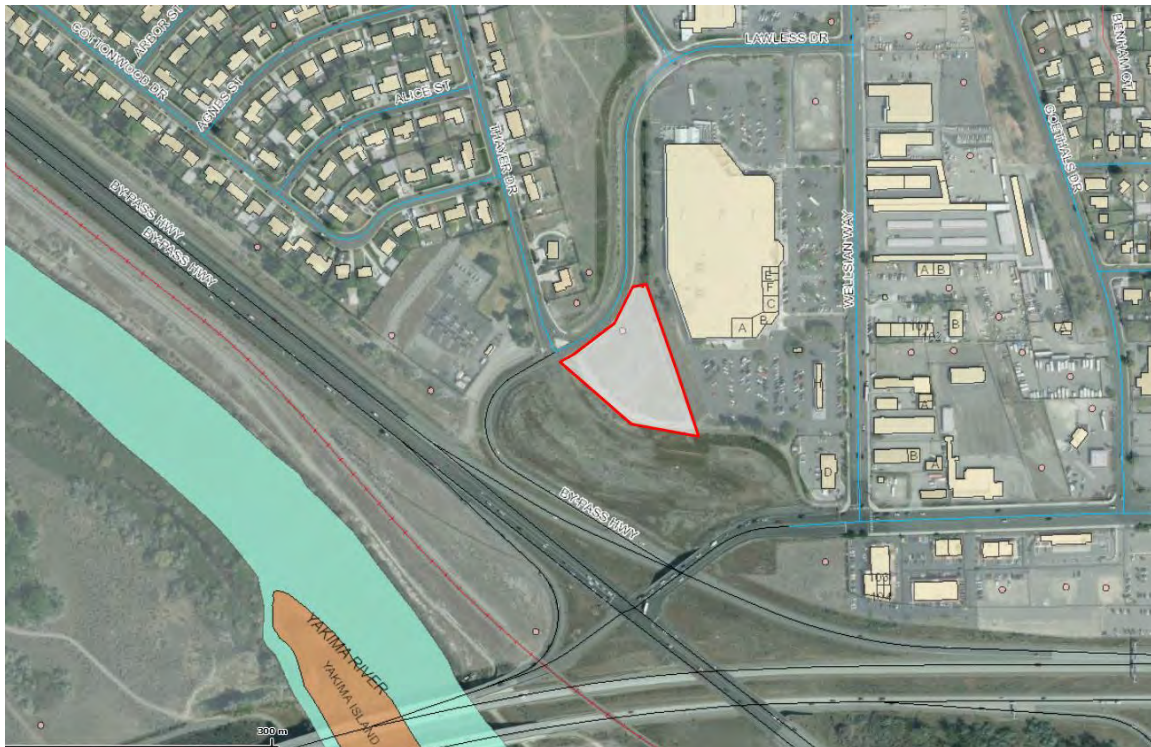


Figure 1 – Vicinity Map *(site highlighted in red)*

SITE DESCRIPTION & ADJACENT LAND USES

The site consists of a single 2 acre parcel located adjacent to Fred Meyer, McDonalds and undeveloped open land owned by the Washington State Department of Transportation. There is an electrical substation to the west of the site and a few single-family residential homes located north of Lawless Drive. The largest portion of Lawless Park is also located north of Lawless Drive.



Figure 2 – Comprehensive Plan

COMPREHENSIVE PLAN

The site is designated as Developed Open Space under the City's current comprehensive plan due to it previously being a part of Lawless Park. However, this portion of land was determined to be excess to the city's needs and was sold to Mr. Bush as surplus in December, 2018.

The plan defines Developed Open Space as follows:

This category includes golf courses, federal power transmission and irrigation wasteway easements, private open space, riverfront parks, undeveloped parks, and parks intended for long-term open space.

The commercial land use category is described as follows:

The commercial land use category includes a variety of retail, wholesale, and office uses. Within this category are professional business offices, hotels, motels and related uses. It also includes a variety of retail and service uses oriented to serving residential neighborhoods, such as grocery stores, hardware supply, and garden supply. Other commercial uses include automobile related uses, and uses that normally require outdoor storage and display of goods. In transitional areas between more intensive commercial areas and lower density residential uses, high-density residential development may also be located within the Commercial designated areas.

The comprehensive plan identifies the following goals and policies that pertain to this amendment request:

ED Goal 6: Encourage vibrant mixed-use areas to establish Richland as the premier Tri-Cities destination to live,

work, and visit by offering options for housing, services, entertainment, and retail.

Policy 4 – *Facilitate retail development and encourage infill in the Central Business District, Uptown, and nearby commercial areas.*

LU Goal 3: **The City will promote commercial growth and revitalization that serves residents and strengthens and expands the tax base.**

Policy 1 – *The City will accommodate all types of commercial land uses including retail and wholesale sales and services, and professional services.*

Policy 2 – *The City will create new land use and zoning designations to facilitate both new development and redevelopment where required to implement the City's goals.*

Policy 3 – *The City will work to develop an attractive Central Business District and to revitalize declining commercial areas.*

Policy 4 – *The City will endeavor to locate neighborhood oriented commercial land uses in Neighborhood Activity Centers.*

ZONING

Property to the north is zoned Parks & Public Facilities (PPF) and Low Density Residential R-1-12. Properties to the west are either undesignated (WSDOT right-of-way) or Medium Density Residential (R-2) while properties to the east are zoned General Business (C-3).



Figure 4 – Existing Zoning

UTILITY AVAILABILITY

There is an existing 10 inch sewer main located upon the subject property and potable water is also available at the site as well as electrical power.

TRANSPORTATION

Lawless Drive is classified as a major collector in the City's Transportation Plan. As a result, the roadway has been designed and constructed to handle a large amount of traffic. It should be noted that the off-ramp from the By-Pass Highway connects to Lawless Drive in the location of the subject property.

ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2018-2019 Comprehensive Plan Docket on June 21, 2019. A copy of the checklist and determination of non-significance is attached.

ANALYSIS

The City of Richland determined this property to be excess to the city's needs and surplus the property in December, 2018. The current owner/applicant has indicated that he would like to have the site changed to a high-density land use designation (R-3 zoning) in order to construct apartments/condos at the site in order to increase housing choices in the area.

APPROVAL CRITERIA

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the comprehensive plan?

Yes, circumstances have changed as the site in question was determined to be excess to the city's needs and was subsequently sold to the current owner in December, 2018. The comprehensive plan indicates that only lands utilized for open space or park purposes should be designated as Developed Open Space by the comprehensive plan land use map.

2. Are the assumptions upon which the comprehensive plan is based no longer valid, or is new information available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments?

Again, circumstances have changed due to the sale of the property from the city to the current owner. This information was not known at the time of the 2017 comprehensive plan periodic update and is thus being reviewed at this time.

SUMMARY

Approval of the proposed comprehensive plan amendment is a logical extension of commercial land uses along the Lawless Drive corridor.

ANALYSIS OF CITY INITIATED APPLICATION: RICHLAND FIRE DEPARTMENT (CPA2018-102).

DESCRIPTION OF PROPOSAL

The City of Richland Fire Department is proposing that a comprehensive plan land use designation of Public Facility (PF) be placed on a parcel of land approximately 2.05 acres in size located at the southeast corner of the Jadwin Avenue and Stevens Drive intersection. The current land use map does not have a land use designation for the site likely as the site had previously been owned by the Washington State Department of Transportation and was considered right-of-way. However, when the land was deeded to the City of Richland a land use designation and zoning district was not placed on the land.

The Fire Department has identified this location as a site for the possible construction of a future fire station. As a result, the Fire Department has requested that since the land is owned by the city and may be used for a future fire station location that the land use designation by Public Facility and a corresponding zoning change to Parks and Public Facilities (PPF).



Figure 1 – Vicinity Map (site highlighted in red)

SITE DESCRIPTION & ADJACENT LAND USES

The site consists of a single 2.05 acre parcel, triangular in shape, bordering Jadwin Avenue along the south/southwest and Stevens Drive along the north/northwest. The eastern property line borders an existing bike/pedestrian pathway maintained by the City of Richland. There is an existing manufactured home park located on the opposite side of Jadwin Avenue, a single-family residential neighborhood to the east and commercial land to the north and west along the Bypass Highway and Stevens Drive.

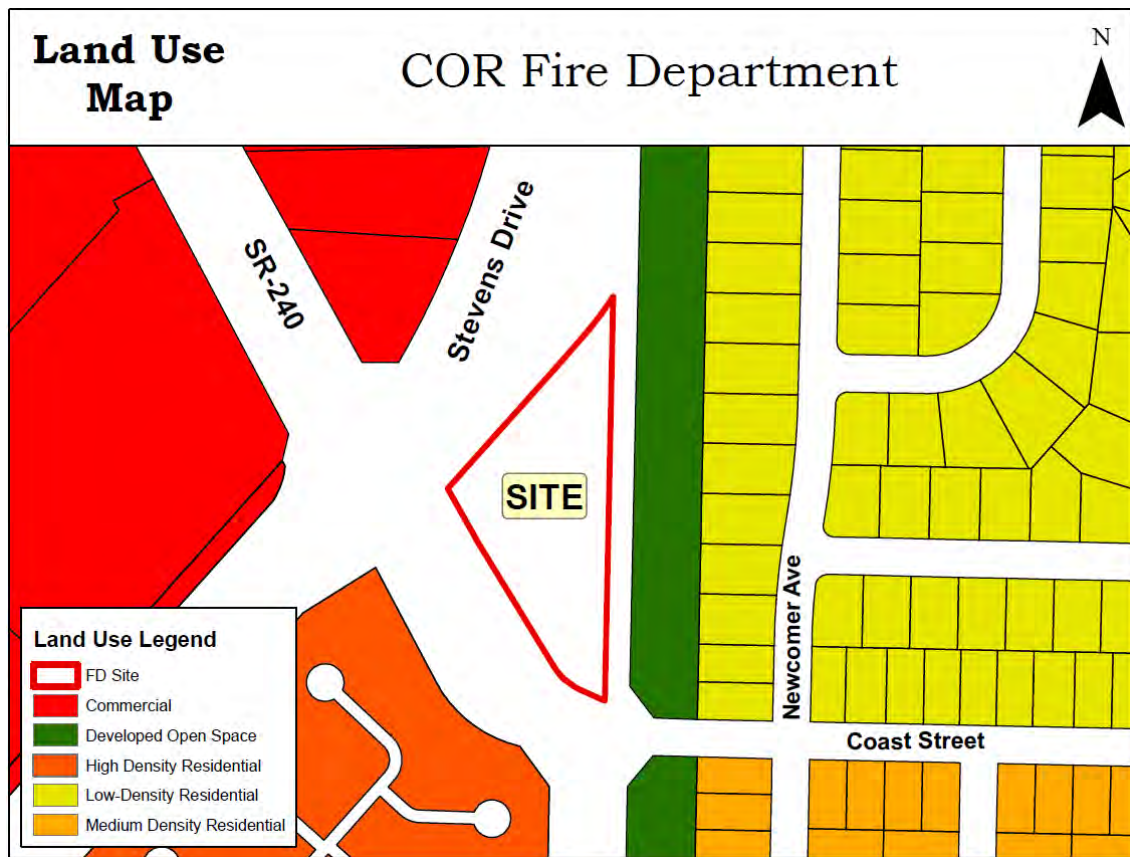


Figure 2 – Comprehensive Plan

COMPREHENSIVE PLAN

The site does not have a land use designation under the City's current comprehensive plan. The adjacent properties are designated as Commercial, High Density Residential, Developed Open Space and Low Density Residential.

The plan defines Public Facility lands as follows:

This category includes a variety of public and institutional uses including facilities operated by federal, state, county, municipal, or other government agencies; public education institutions, public libraries, hospitals, cemeteries; and some developed parks.

The comprehensive plan identifies the following goals and policies that pertain to this amendment request:

CF Goal 10: Provide municipal facilities as needed for efficient services, rapid response times, and convenient customer service.

CF Goal 12: The City will provide efficient, cost-effective, and concurrent levels of public safety services designed to maintain quality of life.

Policy 3 – The City will evaluate the adequacy of the public safety facilities and equipment, mutual and auto aid agreements, and personnel staffing levels and deployment needs for the present and projected change.

ZONING

Property to the north and west on the opposite sides Stevens Drive (and Bypass Highway) are zoned General Retail (C-3). Property south of Jadwin Avenue is zoned Multifamily Residential (R-3) and land immediately east is zoned Parks & Public Facilities (PPF) and Low Density Residential (R-1-10).

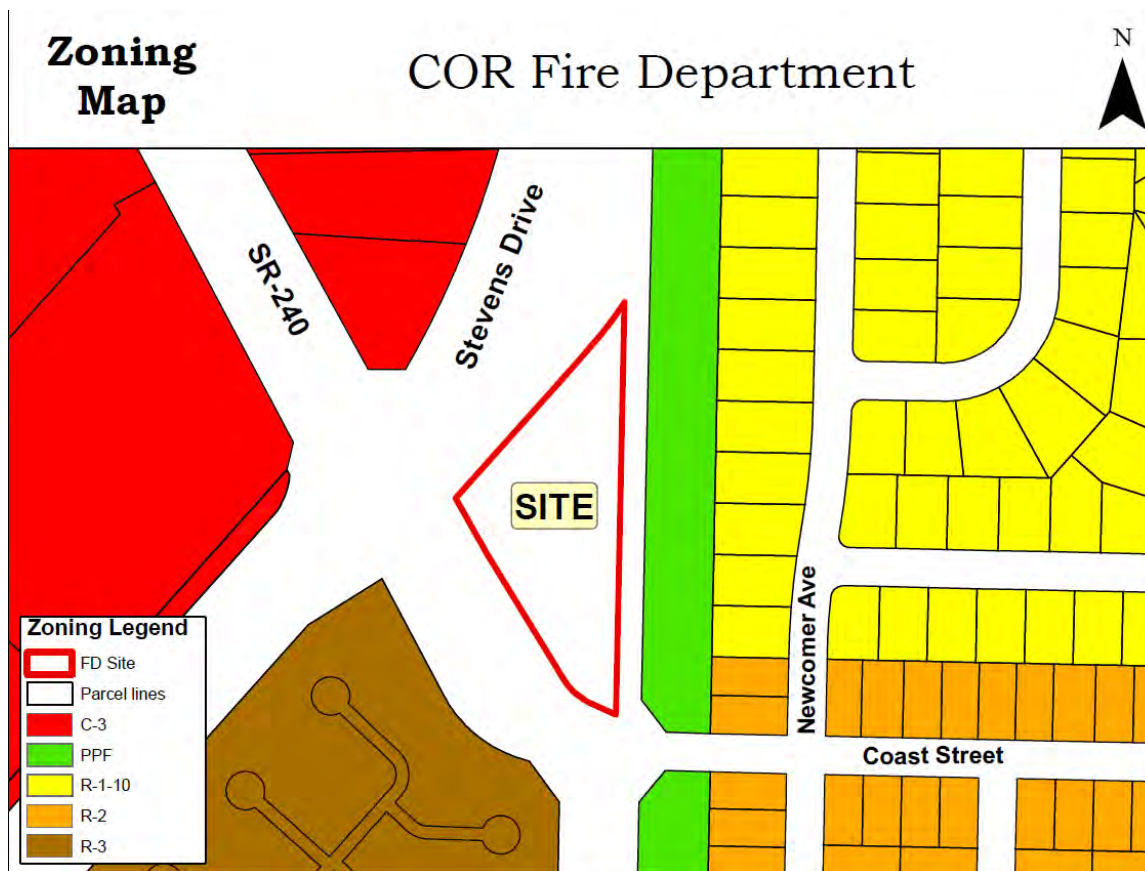


Figure 4 – Existing Zoning

UTILITY AVAILABILITY

There is an existing 36 inch sewer main located within Jadwin Avenue and there is a 24 inch pressurized water main bisecting the property. Electrical power is also available to the site.

TRANSPORTATION

Stevens Drive (Bypass Highway) is located on the western side of the subject property and Jadwin Avenue is located along the southern portion of the site. It is likely that future access to the site would come off of Jadwin Avenue.

ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2018-2019 Comprehensive Plan Docket on June 21, 2019. A copy of the checklist and determination of non-significance is attached.

ANALYSIS

The intent of the proposal is to designate the site as Public Facility under the comprehensive plan so that a zoning district of Parks & Public Facilities (PPF) can be placed on the site for the future use of the site as a possible fire station.

As indicated previously, the site is currently not designated by either the comprehensive plan land use map or the official zoning map. As a result, staff recommends that the requested land use designation and zoning district be approved for the site as the location has been identified by the Fire District as meeting their location and response time requirements when looking to locate a future fire station.

APPROVAL CRITERIA

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the comprehensive plan?

Circumstances related to the site have changed since the 2017 Comprehensive Plan Periodic Update as the site has been evaluated further for the construction of a fire station. Also, since the site was not previously designated by the land use map it is prudent that a land use classification contemplating the city's needs be given to the site.

2. Are the assumptions upon which the comprehensive plan is based no longer valid, or is new information available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments?

New information in the form of additional study by the Fire Department has occurred since the 2017 Periodic Update. In addition, the city failed to designate the site for any type of land use during the 2017 Periodic Update. It is prudent for the city to designate the site while contemplating the needs of the city.

SUMMARY

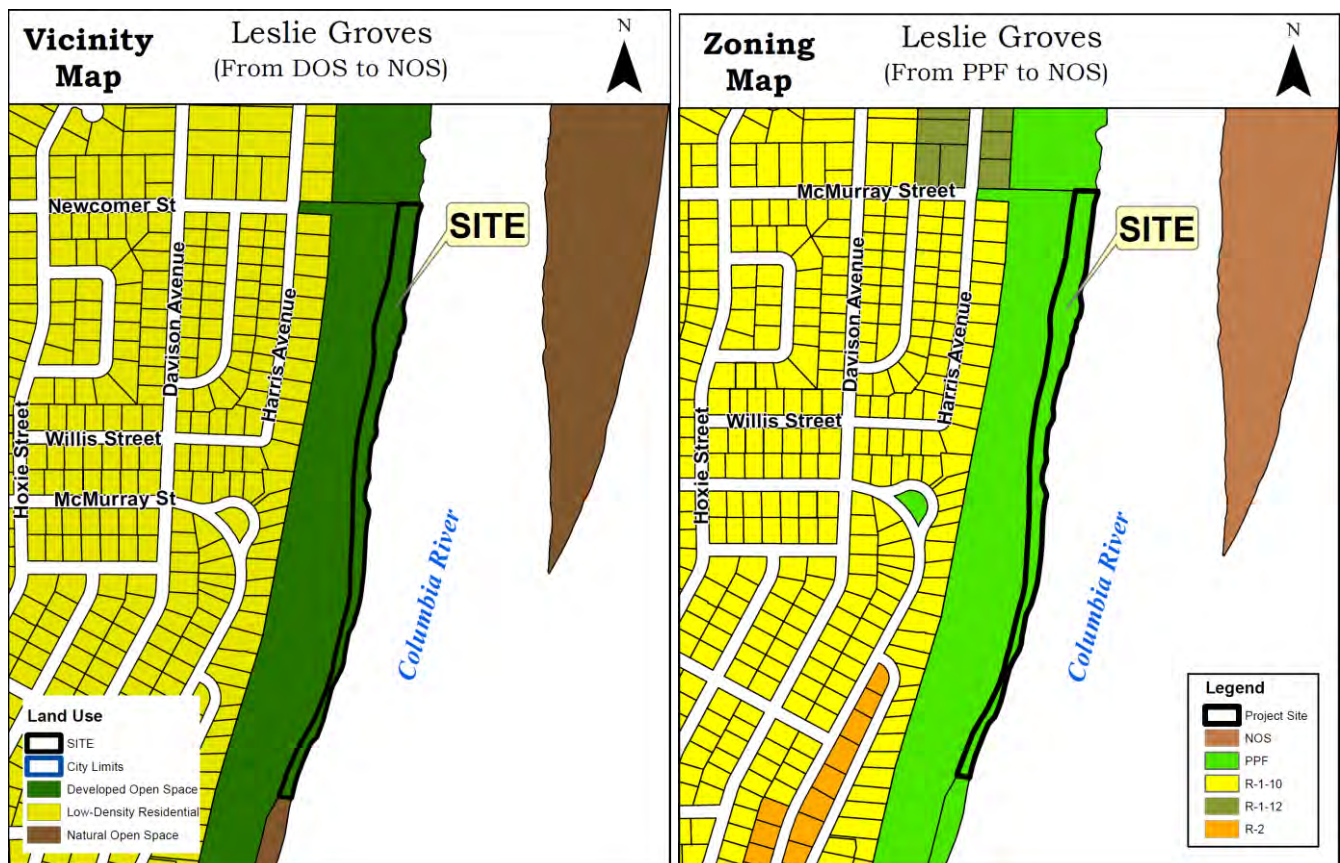
Approval of the proposed comprehensive plan amendment is logical as it would place a land use designation upon the site which would allow a variety of uses when the city decides that it should be developed. The possible location of a future fire station at this location has been studied extensively by the Fire Department and while access to the site is limited it can be achieved in a manner that meets all applicable city standards.

ANALYSIS OF CITY INITIATED APPLICATION: CITY OF RICHLAND DEVELOPMENT SERVICES DEPARTMENT (CPA2019-105).

DESCRIPTION OF PROPOSAL

The City of Richland Development Services Department is proposing to rectify discrepancies between the comprehensive plan land use map and official zoning map at the following six (6) locations:

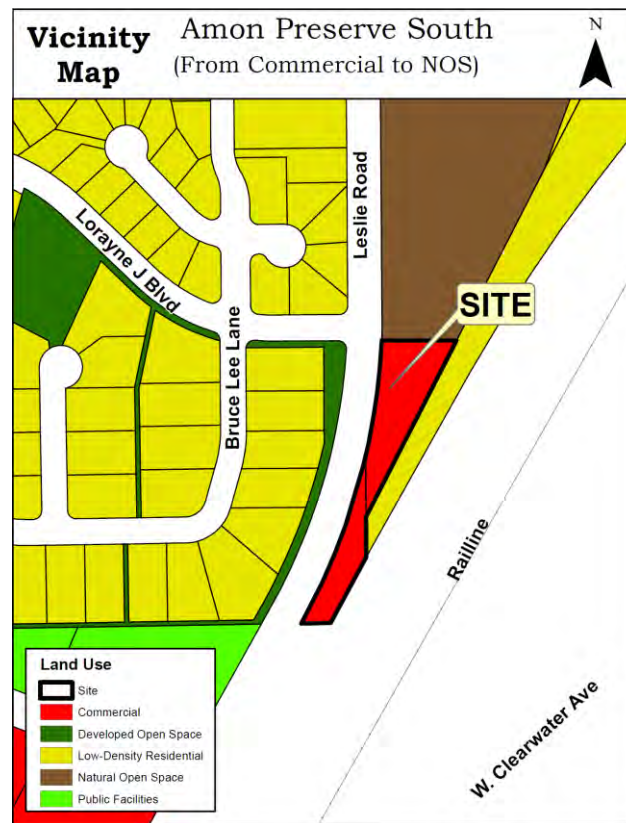
1. Leslie Grove: Extend the Natural Open Space (NOS) designation north along the waterfront from the existing NOS boundary to Newcomer Street and rezone the waterfront to NOS to be consistent with the comprehensive plan.



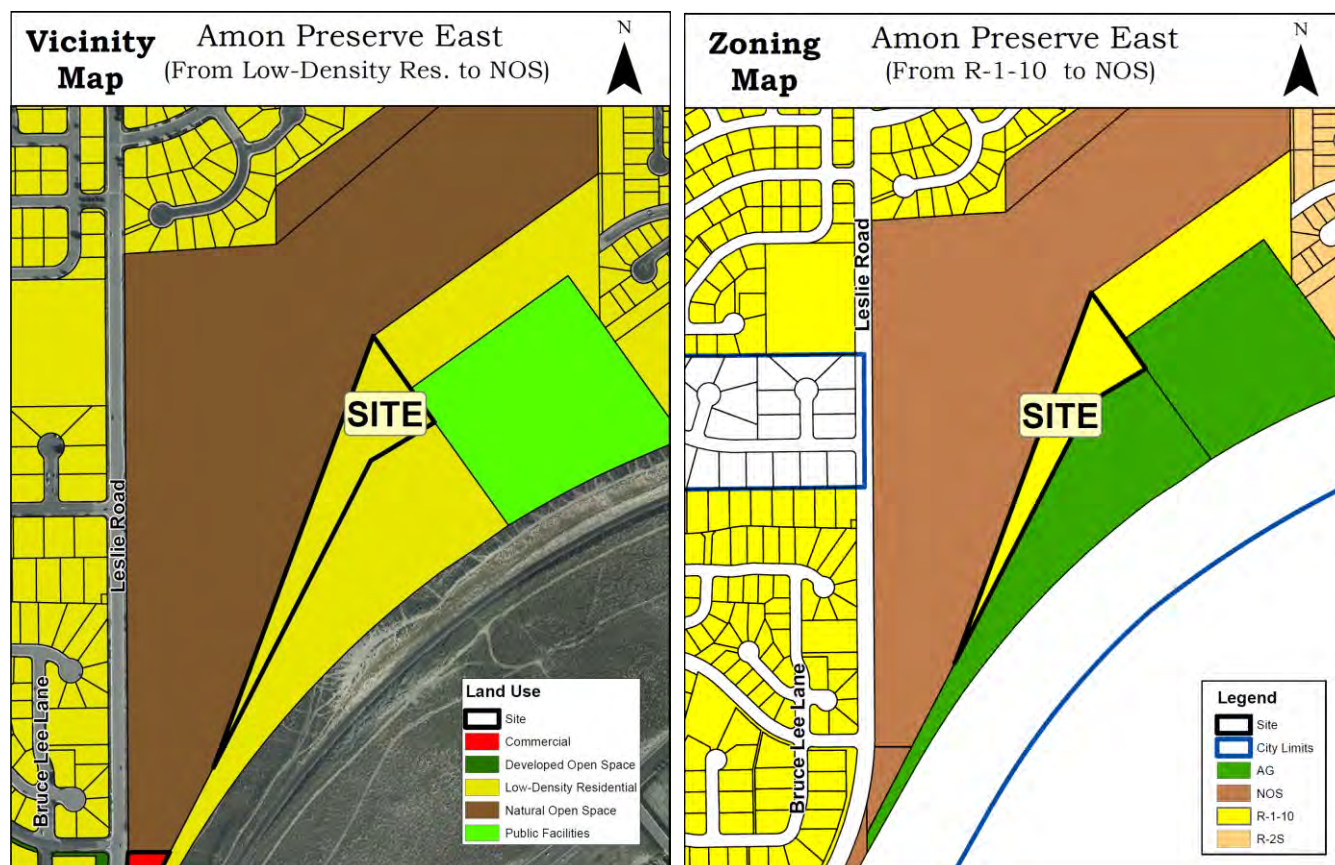
2. Howard Amon: Change the land use classification along the waterfront from Natural Open Space (NOS) to Developed Open Space (DOS) to match the rest of the park and to be consistent with the Parks & Public Facilities (PPF) zoning.



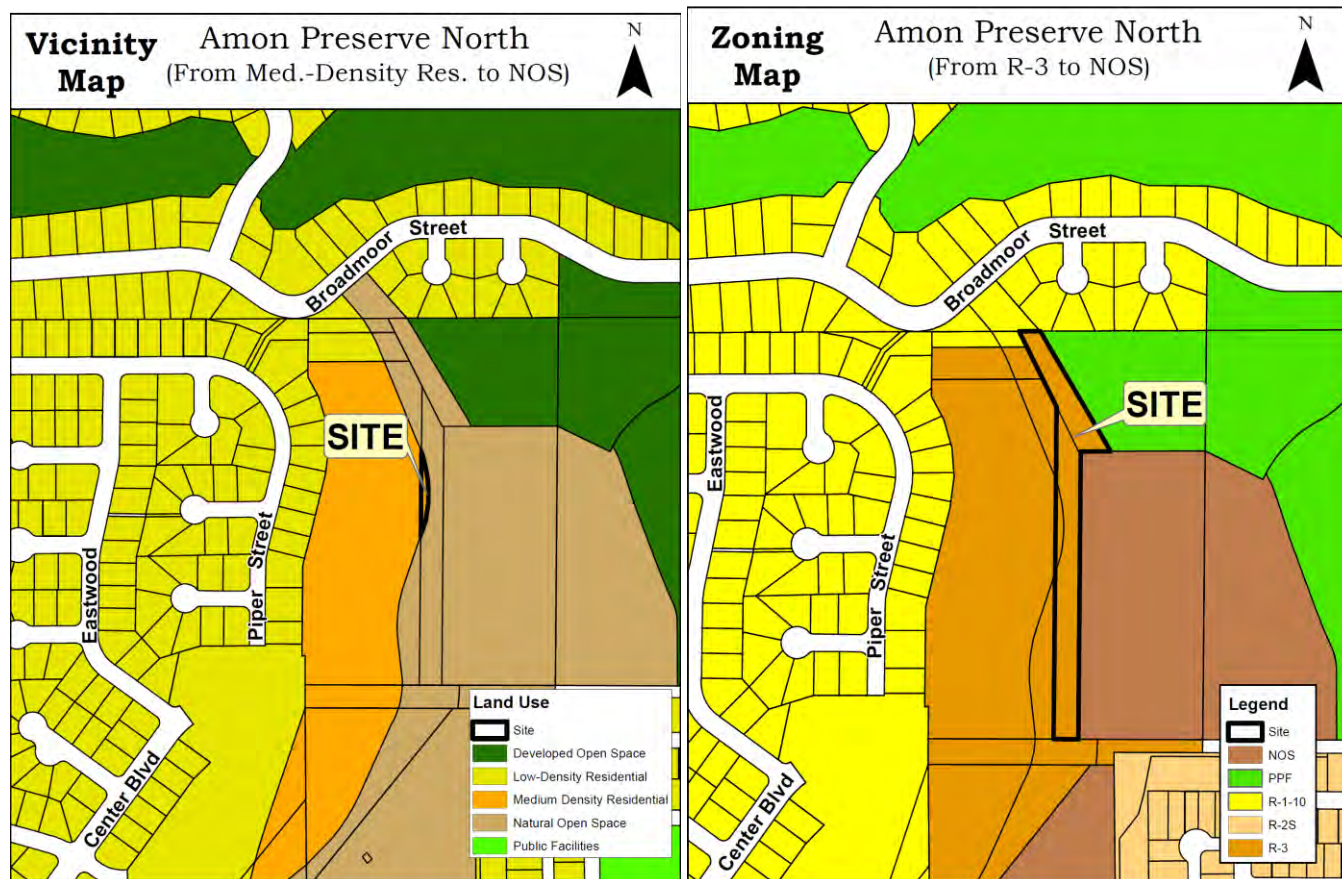
3. Amon Preserve (South): Change the land use designation from Commercial to Natural Open Space (NOS) to be consistent with the existing NOS zoning.



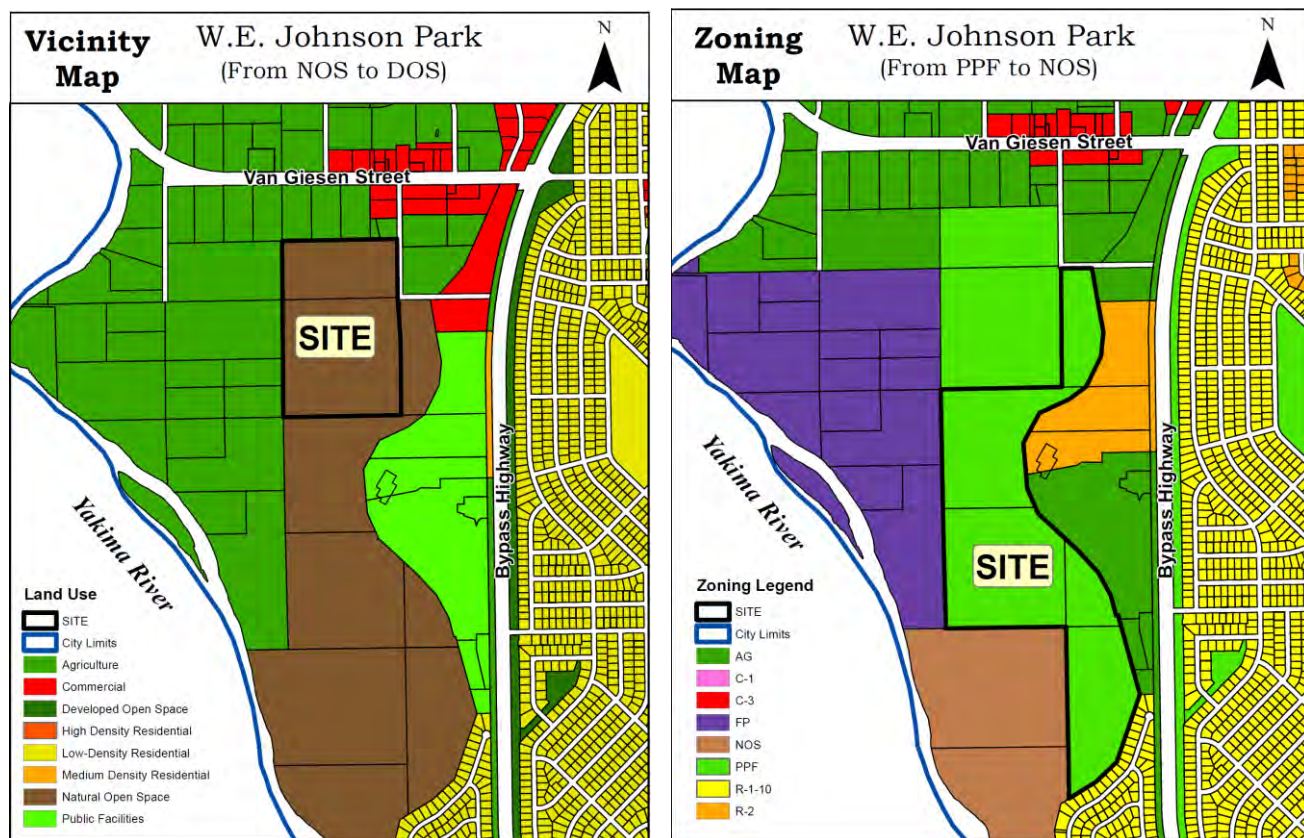
4. Amon Preserve (East): Change the land use designation from Low Density Residential to Natural Open Space (NOS) and change the zoning from R-1-10 to NOS.



5. Amon Preserve North: Change the comprehensive plan land use designation along the western boundary from High Density Residential to Natural Open Space (NOS) and change the zoning from Multiple Family Residential (R-3) to NOS.



6. W.E. Johnson Park: Change the land use designation from Natural Open Space (NOS) to Developed Open Space (DOS) at the site of the old city landfill to be consistent with the current Parks & Public Facilities (PPF) zoning. Also change the zoning from PPF to NOS to match the comprehensive plan land use designation on lands located east and south of the old city landfill site.



ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2018-2019 Comprehensive Plan Docket on June 21, 2019. A copy of the checklist and determination of non-significance is attached.

ANALYSIS

As indicated above, the intent of the proposed changes is to rectify discrepancies between the land use and zoning maps at the six (6) city owned locations. These changes will result in the correct land use and zoning districts being placed on city owned property and will alleviate confusion that occurs when administering regulatory requirements. Several of these changes were contemplated by the Planning Commission during the 2017 Periodic Update, but for some unknown reason, the necessary mapping changes did not occur. Staff recommends that the Planning Commission discuss each of the proposed changes during the public hearing process.

APPROVAL CRITERIA

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the comprehensive plan?

No new circumstances exist from when the changes were originally contemplated in 2017. The intent of these mapping amendments is to finalize the changes made as the mapping changes did not occur in 2017.

2. Are the assumptions upon which the comprehensive plan is based no longer valid, or is new information available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments?

The assumptions upon which the comprehensive plan is based are still valid. As indicated above, the intent of these changes is to effectuate mapping changes that were contemplated, but did not occur, during the 2017 Periodic Update.

SUMMARY

Approval of the proposed comprehensive plan amendments are logical as each proposed mapping amendment results in consistency between the existing natural resource and the appropriate land use designation. The changes also reflect corrections needed between the comprehensive plan land use designations and zoning districts on city owned properties.

ANALYSIS OF CITY INITIATED TEXT AMENDMENT APPLICATION: CITY OF RICHLAND FIRE DEPARTMENT (CPA2018-104).

DESCRIPTION OF PROPOSAL

The intent of the City initiated comprehensive plan TEXT amendment is primarily “house-keeping” in nature as it is non-project in nature and only results in modification of text within the Capital Facilities Element of the comprehensive plan.

The Richland Fire Department requests that the following changes occur to the Fire, Police, and Emergency Services section (CF Goal 12):

Add a new policy 3 and relabel current policy 3 to policy 4 (page 58).

New Policy 3: The City will identify the funding mechanism to construct and staff Fire & Emergency Service facilities in areas of our city wherever 1350 or more employees work outside a 4 minute drive time from an existing Richland Fire & Emergency Services facility or a neighboring jurisdiction facility with similar staffing levels participating in an automatic aid agreement.

Add the following text to the end of the Fire and Emergency Services and Facilities section (page 61):

The Richland Fire & Emergency Services Department has developed a facility deployment model based on the current and projected needs of the community over the next 10 years. This plan encompasses potential growth and development in the community, current and future urban growth boundaries, the City of Richland transportation improvement plan, and industry standard response times. The facility deployment model aligns with the City of Richland Core Focus Areas as well as meets the mission and vision of Richland Fire & Emergency Services.

ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2018-2019 Comprehensive Plan Docket on June 21, 2019. A copy of the checklist and determination of non-significance is attached.

SUMMARY

Approval of the proposed comprehensive plan text amendments are logical as each of the proposed text amendments improves and bolsters the functionality and intent of the comprehensive plan. Staff recommends that the Planning Commission discuss the proposed text amendments with the Fire Department and recommend approval of said changes to the City Council.

AREA WIDE REZONE ANALYSIS

The State of Washington's Growth Management Act (RCW 36.70A) requires that comprehensive plans be effectuated by various development regulations such as subdivision regulations, critical areas and zoning. As a result, any time land use designations are changed, such as the ones contemplated by the private party applications and the city initiated ones, the underlying zoning district must be brought into conformance with the comprehensive plan. The city is requesting that the Planning Commission authorize an area-wide rezone in order to bring the zoning into compliance with the change of land-use designations authorized by the passage of the private party comprehensive plan amendment applications and the city initiated actions.

The area-wide rezone must be a separate action by the Planning Commission and must result in the re-zoning of lands so that the underlying zoning regulations are consistent with the intent and goals of the City's comprehensive plan. Failure to have the zoning designations match the underlying comprehensive plan designation usually results in "spot-zoning", which is not allowed in the State of Washington.

In determining whether an area shall be rezoned, the planning commission and city council should consider how the proposed area-wide rezone implements the comprehensive plan, growth management act and benefits the community.

1. The manner in which the proposed rezone conforms to patterns in adjacent zones;

The proposed area-wide rezone would not result in any non-conformities as it would just effectuate the intent of the already approved comprehensive plan changes. Denial of the area-wide rezoning would result in a situation in which the zoning districts are out of compliance with, and do not effectuate, the comprehensive plan.

2. The benefits or detriments accruing to the city which would result from the approval of the area-wide rezone;

Benefits to the city as a result of the granting of the area-wide rezone come in the form of additional tax revenue due to the creation of higher density housing, additional commercial development, as well as the protection of natural resources.

3. Impacts on the environment and public safety.

Both the change in land-use designation and subsequent area-wide rezoning have been reviewed by the City of Richland and other local and state agencies for compliance with the State of Washington's Growth Management Act and State Environmental Policy Act (SEPA).

SEPA THRESHOLD DETERMINATION:

The City of Richland issued a Determination of Non-Significance (DNS) for the proposed comprehensive plan amendment and area-wide rezoning on June 21, 2019. The Determination of Non-Significance was issued after utilizing the Optional DNS review process as outlined in WAC 197-11-335.

RECOMMENDATION:

1. Staff recommends that all text and map amendments included in the 2018-2019 Comprehensive Plan Docket be incorporated into the City's official Comprehensive Plan Document.
2. Staff recommends that the area-wide rezoning be approved, on condition of approval of the Comprehensive Plan amendment and based upon discussions and land use and development agreements discussed during specific proposals.

Alternatives:

- a. Recommend approval of the amendments and subsequent area-wide rezone as proposed.
- b. Hold additional public hearings
- c. Modify the proposed changes before forwarding the document to council.

SUGGESTED CONCLUSIONS OF LAW

1. The Planning Commission has a legal obligation to hold an open record public hearing and issue a recommendation to the City Council that meets the requirements of Chapter 36.70A RCW.
2. The City staff, Planning Commission and City Council have involved the public in this planning exercise.
3. The docket is deemed complete and ready for action by the Planning Commission.
4. For areas that are incorporated into the area-wide rezoning: future development of any property will be reviewed for consistence and compliance with applicable development regulations in effect at the time of future development. Approval of these zoning map amendments do not vest or imply approval of subsequent developments.
5. The 2017 City of Richland Comprehensive Plan and the associated environmental review comply with the goals and requirements of Chapter 36.70A RCW, Chapter 365-195 WAC, Chapter 43.21C RCW, Chapter 197-11 WAC, and City of Richland Municipal Code Chapter 22.09.
6. The Washington State Growth Management Act (GMA), Chapter 36.70A RCW, mandates that Counties and Cities required or choosing to plan under the authority of the Growth Management Act must adopt development regulations consistent with the jurisdictional Comprehensive Plan and state law.
7. The 2018-2019 Comprehensive Plan amendment (docket) will produce no probably significant adverse environmental impacts. A determination of non-significance (DNS) under the State Environmental Policy Act (SEPA) is appropriate for this Comprehensive Plan amendment and Zoning Ordinance Map changes.

SUGGESTED FINDINGS OF FACT

1. WRMC 14.09 indicates that the City Council shall consider each comprehensive plan amendment and forward those selected to the Planning Commission for processing. Plan amendment applications may be submitted via private application and/or proposed by City Staff and the Council.
2. The deadline for the submittal of Private Party Applications for the consideration as part of the 2018-2019 Comprehensive Plan Docket Policy and Map, and Code Amendments docket was March 1, 2019.
3. Five (5) private party application were received and deemed complete.
4. Three (3) city initiated applications were received and deemed complete (1 text, 2 map).
5. The City Council conducted a Workshop on April 23, 2019 to review the 2018-2019 Comprehensive Plan Policy and Map, and Code Amendment Docket.
6. The City Council conducted a Public Hearing on May 7, 2019 establishing the 2018-2019 Comprehensive Plan Policy and Map, and Code Amendment Docket.
7. The Planning Commission conducted a workshop to review the 2018-2019 Comprehensive Plan Policy and Map, and Code Amendment Docket on June 12, 2019.

8. Public Notice was sent to property owners within 300 feet of each of the proposed Comprehensive Plan Map and Zoning Map changes on June 5, 2019.
9. The City of West Richland Community Development Department issued a SEPA Threshold Determination of Non-Significance on June 21, 2019 for the proposed 2018-2019 Comprehensive Plan Policy and Map, and Code Amendment Docket. The SEPA Threshold Determination of Non-Significance was issued after utilizing the Optional DNS Method.
10. On June 5, 2019 the City of Richland provided the required sixty (60) day notification under RCW 36.70a.106 to the State of Washington of the City's proposed Comprehensive Plan Policy and Map, and Code Amendment docket and intent to adopt.
11. On June 5, 2019 the City of Richland provided Notice of Public Hearing to be held on June 26, 2019 to affected parcels and neighboring properties within a 300-foot radius of parcels under consideration.
12. On June 9, 2019 a Notice of Public Hearing was published in the Tri-City Herald.
13. On June 5, 2019 a Notice of Public Hearing was posted at the City Hall and on the City Website.
14. Public Hearing Notice signs were posted on, or near, each of the five (5) private party properties which had submitted individual applications for consideration by March 1, 2019. A Public Hearing Notice sign was also posted at the location of the City initiated application at the intersection of Stevens Drive and Jadwin Avenue.
15. All public notification requirements for the public workshops and public hearings were met.
16. CPA 2018-102 & Z2018-105 consists of an application to change the land use designation on approximately 2 acres from undetermined/undesigned to Parks & Public Facilities (Parks & Public Facilities Zoning District) on property located at the intersection of SR 240 and Stevens Drive.
17. CPA2018-103 consists of an application to change the land use designation on approximately 1.99 acres from Developed Open Space to Medium-Density Residential. The property is located at the SW corner of the Clubhouse Lane and River Valley Drive intersection within the Horn Rapids Golf Community (northern portion of the existing parking lot for the Horn Rapids Golf Course).
18. CPA2018-104 submitted by the City of Richland FD to amend Capital Facilities Goal 12 (Relabel current Policy 3 to Policy 4 and add a new Policy 3).
19. CPA2019-101 & Z2019-101 consists of an application filed by the Bethel Church to change the land use designation on approximately 10 acres from Low-Density Residential to High Density Residential and change the zoning district from Low-Density Residential R-1-12 to High Density Residential R-3. The property is located north of Shockley Road immediately west of the existing Bethel Church.
20. CPA2019-102 & Z2019-102 was filed by Northstone Richland, LLC to change the land use designation from Low Density Residential to Medium Density Residential and change the zoning district from Low Density Residential R-1-10 and Medium Density Residential R-2 to Medium Density Residential R-2S. The property is located within an undeveloped area of Horn Rapids west of the 4th Hole Fairway.
21. CPA2019-103 & Z2019-103 consists of an application filed by Tim Bush to change the land use designation on approximately 1.8 acres from Developed Open Space to High Density Residential and change the zoning

district from Parks & Public Facilities (PPF) to Multiple Family Residential R-3. The property is located north of Dupertail Street immediately east of 412 Thayer Drive.

22. CPA2019-104 & Z2019-104 consists of an application filed by Tim Bush, Lot 4 to change the land use designation on approximately 2 acres from Developed Open Space to Commercial and change the zoning district from Parks & Public Facilities to Retail Business C-2. The property is located south of Lawless Drive immediately west of Fred Meyer.
23. CPA2019-104 & Z2019-105 was filed by the City of Richland to change land use designations and zoning districts on portions of city owned properties located at Leslie Grove Park, Howard Amon Park, Amon Preserve and W.E. Johnson Park.
24. Based upon the application materials submitted and upon presentation by the applicants, the proposed amendments will not adversely impact the city's ability to provide sewer and water, and will not adversely affect adopted levels of service standards for other public facilities and services such as parks, police, fire, emergency medical services and governmental services.
25. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of these amendments.
26. The proposed amendments are consistent with the goals, policies and objectives of the comprehensive plan.
27. The proposed comprehensive plan amendments will not result in probable significant adverse impacts to the transportation network, capital facilities, utilities, parks, and environmental features.
28. The subject parcels being re-designated are physically suitable for the allowed land uses in the designation being requested.
29. The proposed amendments are consistent with the Washington State Growth Management Act, the Benton County planning policies and other applicable local and state policies, agreements, and laws.
30. The proposed amendments will not have a cumulative adverse effect on the planning area.
31. The City of Richland initiated comprehensive plan amendments are primarily "house-keeping" in nature and are consistent with the goals and intent of the comprehensive plan.
32. The State of Washington's Growth Management Act (RCW 36.70A) requires that comprehensive plans be effectuated by various development regulations such as subdivision regulations, critical areas and zoning.
33. The proposed area-wide rezoning of the properties in question is dependent upon a change in the land-use designation of the comprehensive plan.
34. The city is requesting that the Planning Commission authorize an area-wide rezone in order to bring the zoning into compliance with the change of land-use designations authorized by the passage of the five (5) private party applications and the city initiated actions (Fire Department and Development Services map amendments).

RECOMMENDED MOTION:

1. I move that the Planning Commission adopt the findings, conclusions, and recommendation found in the staff report and recommend City Council approve the 2018-2019 Comprehensive Plan Policy and Map, and Code Amendment Docket.

2. I move that the Planning Commission adopt the findings, conclusions and recommendation found in the staff report and recommend City Council approval of the area-wide rezone.

ATTACHMENTS:

- A. Notice of Intent to Adopt Amendment (60-Days Prior to Adoption)
- B. Public Notice
- C. SEPA Determination of Non-Significance
- D. 2018-2019 Docket
 - File No. 2018-03 (Brad Rew – Horn Rapids Golf Course)
 - File No. 2019-101 (Bethel Church)
 - File No. 2019-102 (North Stone Richland, LLC)
 - File No. 2019-103 (Tim Bush, Lot 2)
 - File No. 2019-104 (Tim Bush, Lot 4)
 - File No. 2018-102 (Richland Fire Dept.)
 - File No. 2019-105 (City of Richland Development Services)
 - File No. 2018-104 (Richland Fire Department Text Amendment)
- E. Agency/Public Remarks and Comments

City of Richland 2018-2019 Comprehensive Plan Policy and Map, and Code Amendments



**Attachment A:
Notice of Intent to Adopt Amendment (60-Days
Prior to Adoption)**



Department of Commerce

Notice of Intent to Adopt Amendment / Notice of Adoption Cover Sheet

Pursuant to RCW 36.70A.106, the following jurisdiction provides the following required state agency notice.

1. Jurisdiction Name:	City of Richland – Development Services Dept.
2. Select Submittal Type: Select the Type of Submittal listed. (Select One Only)	☒ 60-Day Notice of Intent to Adopt Amendment. ☐ Request of Expedited Review / Notice of Intent to Adopt Amendment. ☐ Supplemental Submittal for existing Notice of Intent to Adopt Amendment. ☐ Notice of Final Adoption of Amendment.
3. Amendment Type: Select Type of Amendment listed. (Select One Only)	☒ Comprehensive Plan Amendment. ☒ Development Regulation Amendment. ☐ Critical Areas Ordinance Amendment. ☐ Combined Comprehensive and Development Regulation Amendments. ☐ Countywide Planning Policy .
4. Description Enter a brief description of the amendment. Begin your description with “Proposed” or “Adopted”, based on the type of Amendment you are submitting. Examples: “ <i>Proposed comprehensive plan amendment for the GMA periodic update.</i> ” or “ <i>Adopted Ordinance 123, adoption amendment to the sign code.</i> ” (Maximum 400 characters).	Proposed 2018-2019 Comprehensive Plan Annual Amendment and Area-Wide Rezone.



Department of Commerce

5. Is this action part of your 8-year periodic update required under RCW 36.70A.130 of the Growth Management Act (GMA)?	☐ Yes ☒ No
6. Proposed Dates: Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission.	Planning Commission: June 26, 2019 City Council: August 20, 2019 Proposed / Date of Adoption: August 20, 2019
7. Contact Information:	
A. Prefix/Salutation: (Examples: "Mr.", "Ms.", or "The Honorable" (elected official))	Mr.
B. Name:	Mike Stevens
C. Title:	Planning Manager
D. Email:	mstevens@ci.richland.wa.us
E. Work Phone:	(509) 942-7596
F. Cell/Mobile Phone: (optional)	
Consultant Information:	
G. Is this person a consultant?	☐ Yes
H. Consulting Firm name?	
8. Would you like Commerce to contact you for Technical Assistance regarding this submitted amendment?	☐ Yes

REQUIRED: Attach or include a copy of the proposed amendment text or document(s). We do not accept a website hyperlink requiring us to retrieve external documents. Jurisdictions must submit the actual document(s) to Commerce. If you experience difficulty, please email the reviewteam@commerce.wa.gov

Questions? Call the review team at (509) 725-3066.



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

06/05/2019

Mr. Mike Stevens
Planning Manager
City of West Richland
625 Swift Boulevard
MS: 35
West Richland, WA 99352

Sent Via Electronic Mail

Re: City of West Richland--2019-S-251--60-day Notice of Intent to Adopt Amendment

Dear Mr. Stevens:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

Proposed 2018-2019 Comprehensive Plan Annual Amendment and Area-Wide Rezone.

We received your submittal on 06/05/2019 and processed with the Submittal ID 2019-S-251. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 08/04/2019.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call William Simpson, (509) 280-3602.

Sincerely,

Review Team
Growth Management Services



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

06/05/2019

Mr. Mike Stevens
Planning Manager
City of Richland
505 Swift Boulevard
Post Office Box 190
Richland, WA 99352

Sent Via Electronic Mail

Re: City of Richland--2019-S-252--60-day Notice of Intent to Adopt Amendment

Dear Mr. Stevens:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

Proposed 2018-2019 Comprehensive Plan Annual Amendment and Area-Wide Rezone.

We received your submittal on 06/05/2019 and processed with the Submittal ID 2019-S-252. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 08/04/2019.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call William Simpson, (509) 280-3602.

Sincerely,

Review Team
Growth Management Services

THANK YOU

We have received your amendment submission. Please allow 1-3 business days for review. Please keep the Submittal ID as your receipt and for any future questions. We will also send an email receipt to all contacts listed in the submittal.

Submittal ID: 2019-S-251

Submittal Date Time: 06/05/2019

Submittal Information

Jurisdiction	City of West Richland
Submittal Type	60-day Notice of Intent to Adopt Amendment
Amendment Type	Combined Comprehensive Plan and Development Regulation Amendment

Amendment Information

Brief Description
Proposed 2018-2019 Comprehensive Plan Annual Amendment and Area-Wide Rezone.

☐ Yes, this is a part of the 8-year periodic update schedule, required under RCW 36.70A.130.

Planning Commissions Date 06/26/2019

City Council Date 08/20/2019

Anticipated/Proposed Date of Adoption 08/20/2019

Attachments

Attachment Type	File Name	Upload Date
Combined Comp Plan and Dev Reg Amend - Draft	CPA2019-100 2018-2019 CP and DR Amendments.pdf	06/05/2019 12:06 PM
Supporting Documentation or Analysis	TCH Hearing Notice 2018-2019 CPA's.pdf	06/05/2019 12:07 PM
Correspondence	City of Richland 2018-2019 Annual Comprehensive Plan and Development Regulations Amendments.msg	06/05/2019 12:07 PM

Contact Information

Prefix	Mr.
First Name	Mike
Last Name	Stevens
Title	Planning Manager
Work	(509) 942-7596
Cell	

Email mstevens@ci.richland.wa.us

☐ Yes, I would like to be contacted for Technical Assistance.

Certification

Entered by Linda Weyl on 6/5/2019 12:05:25 PM

Intake Received Date	06/05/2019
Full Name	Mike Stevens
Email	mstevens@ci.richland.wa.us

THANK YOU

We have received your amendment submission. Please allow 1-3 business days for review. Please keep the Submittal ID as your receipt and for any future questions. We will also send an email receipt to all contacts listed in the submittal.

Submittal ID: 2019-S-252

Submittal Date Time: 06/05/2019

Submittal Information

Jurisdiction	City of Richland
Submittal Type	60-day Notice of Intent to Adopt Amendment
Amendment Type	Combined Comprehensive Plan and Development Regulation Amendment

Amendment Information

Brief Description
Proposed 2018-2019 Comprehensive Plan Annual Amendment and Area-Wide Rezone.

☐ Yes, this is a part of the 8-year periodic update schedule, required under RCW 36.70A.130.

Planning Commissions Date 06/26/2019

City Council Date 08/20/2019

Anticipated/Proposed Date of Adoption 08/20/2019

Attachments

Attachment Type	File Name	Upload Date
Correspondence	City of Richland 2018-2019 Annual Comprehensive Plan and Development Regulations Amendments.msg	06/05/2019 02:24 PM
Supporting Documentation or Analysis	TCH Hearing Notice 2018-2019 CPA's.pdf	06/05/2019 02:24 PM
Combined Comp Plan and Dev Reg Amend - Draft	CPA2019-100 2018-2019 CP and DR Amendments.pdf	06/05/2019 02:25 PM

Contact Information

Prefix	Mr.
First Name	Mike
Last Name	Stevens
Title	Planning Manager
Work	(509) 942-7596
Cell	

Email mstevens@ci.richland.wa.us

☐ Yes, I would like to be contacted for Technical Assistance.

Certification

Entered by Linda Weyl on 6/5/2019 2:23:54 PM

Intake Received Date	06/05/2019
Full Name	Mike Stevens
Email	mstevens@ci.richland.wa.us

City of Richland 2018-2019 Comprehensive Plan Policy and Map, and Code Amendments



**Attachment B:
Public Notice**



CITY OF RICHLAND NOTICE OF PUBLIC HEARING AND OPTIONAL DNS FOR THE 2018-2019 CITY OF RICHLAND ANNUAL COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS UPDATE

Notice is hereby given that the Richland Planning Commission will conduct a public hearing on Wednesday, June 26, 2019 at 6:00 p.m. within the Council Chambers at Richland City Hall, 625 Swift Boulevard, Richland, to consider proposed amendments to the City's adopted comprehensive plan and zoning ordinance (area-wide rezone). You are receiving this notice because you own property located within 300 feet of one of the proposed amendment locations. The proposed amendments are as follows:

- **CPA2018-102 & Z2018-105:** Filed by the Richland Fire Department to change the land use designation on approximately 2 acres from undetermined/undesigned to Parks & Public Facilities (Parks & Public Facilities Zoning District) on property located at the intersection of SR 240 and Stevens Drive.
- **CPA2018-103:** Filed by Brad & Thera Rew (HJBT Properties) to change the land use designation on approximately 1.99 acres from Developed Open Space to Medium-Density Residential. The property is located at the SW corner of the Clubhouse Lane and River Valley Drive intersection within the Horn Rapids Golf Community (northern portion of the existing parking lot for the Horn Rapids Golf Course).
- **CPA2018-104:** City of Richland FD – Filed by the Richland Fire Department in order to amend Capital Facilities Goal 12 (Relabel current Policy 3 to Policy 4 and add a new Policy 3).
- **CPA2019-101 & Z2019-101:** Filed by the Bethel Church to change the land use designation on approximately 10 acres from Low-Density Residential to High Density Residential and change the zoning district from Low-Density Residential R-1-12 to High Density Residential R-3. The property is located north of Shockley Road immediately west of the existing Bethel Church.
- **CPA2019-102 & Z2019-102:** Filed by Northstone Richland, LLC to change the land use designation from Low Density Residential to Medium Density Residential and change the zoning district from Low Density Residential R-1-10 and Medium Density Residential R-2 to Medium Density Residential R-2S. The property is located within an undeveloped area of Horn Rapids west of the 4th Hole Fairway.
- **CPA2019-103 & Z2019-103:** Filed by Tim Bush to change the land use designation on approximately 1.8 acres from Developed Open Space to High Density Residential and change the zoning district from Parks & Public Facilities (PPF) to Multiple Family Residential R-3. The property is located north of Duportail Street immediately east of 412 Thayer Drive.
- **CPA2019-104 & Z2019-104:** Filed by Tim Bush, Lot 4 to change the land use designation on approximately 2 acres from Developed Open Space to Commercial and change the zoning district from Parks & Public Facilities to

Retail Business C-2. The property is located south of Lawless Drive immediately west of Fred Meyer.

- **CPA2019-104 & Z2019-105:** Filed by the City of Richland to change land use designations and zoning districts on portions of city owned properties located at Leslie Grove Park, Howard Amon Park, Amon Preserve and W.E. Johnson Park.

Environmental Review: The proposals are subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed projects for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for these amendments. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed amendments. The environmental checklists and related file information are available to the public and can be viewed at www.ci.richland.wa.us/departments/community-development-services/planning/pending-land-use-actions.

Any person desiring to express their views or to be notified of any decisions pertaining to any of these amendment requests should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, June 19, 2019 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. The requested amendment materials are available to the public and can be viewed at www.ci.richland.wa.us. The staff report and recommendation will be available on the city's website beginning Friday, June 21, 2019. All interested persons are invited to attend and give testimony at the public hearing.

CITY OF RICHLAND

NOTICE OF PUBLIC HEARING AND OPTIONAL DNS FOR THE 2018-2019 CITY OF RICHLAND ANNUAL COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS UPDATE

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- **CPA2019-102 & Z2019-102:** Filed by Northstone Richland, LLC to change the land use designation from Low Density Residential to Medium Density Residential and change the zoning district from Low Density Residential R-1-10 and Medium Density Residential R-2 to Medium Density Residential R-2S. The property is located within an undeveloped area of Horn Rapids west of the 4th Hole Fairway.
- **CPA2019-103 & Z2019-103:** Filed by Tim Bush to change the land use designation on approximately 1.8 acres from Developed Open Space to High Density Residential and change the zoning district from Parks & Public Facilities (PPF) to Multiple Family Residential R-3. The property is located north of Duportail Street immediately east of 412 Thayer Drive.
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Retail Business C-2. The property is located south of Lawless Drive immediately west of Fred Meyer.

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Environmental Review: The proposals are subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed projects for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for these amendments. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed amendments. The environmental checklists and related file information are available to the public and can be viewed at www.ci.richland.wa.us/departments/community-development-services/planning/pending-land-use-actions .

Any person desiring to express their views or to be notified of any decisions pertaining to any of these amendment requests should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, June 19, 2019 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. The requested amendment materials are available to the public and can be viewed at www.ci.richland.wa.us . The staff report and recommendation will be available on the city's website beginning Friday, June 21, 2019. All interested persons are invited to attend and give testimony at the public hearing.

City of Richland 2018-2019 Comprehensive Plan Policy and Map, and Code Amendments



Attachment D: 2018-2019 Docket

1. File No. 2018-03 (Brad Rew – Horn Rapids Golf Course)
2. File No. 2019-101 (Bethel Church)
3. File No. 2019-102 (North Stone Richland, LLC)
4. File No. 2019-103 (Tim Bush, Lot 2)
5. File No. 2019-104 (Tim Bush, Lot 4)
6. File No. 2018-102 (Richland Fire Dept.)
7. File No. 2019-105 (City of Richland Development Services)
8. File No. 2018-104 (Richland Fire Department Text Amendment)

City of Richland 2018-2019 Comprehensive Plan Policy and Map, and Code Amendments



**Attachment C:
SEPA Determination of Non-Significance**



File No. EA2019-116

CITY OF RICHLAND
Determination of Non-Significance

Description of Proposal: 2018-2019 City of Richland Comprehensive Plan Policy and Map, and Code Amendments.

Proponent: City of Richland

Location of Proposal: City of Richland: Comprehensive Plan Land Use Map and Text Amendments and associated Area-Wide Rezone.

- **CPA2018-102 & Z2018-105:** Filed by the Richland Fire Department to change the land use designation on approximately 2 acres from undetermined/undesignated to Parks & Public Facilities (Parks & Public Facilities Zoning District) on property located at the intersection of SR 240 and Stevens Drive.
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Commercial and change the zoning district from Parks & Public Facilities to Retail Business C-2. The property is located south of Lawless Drive immediately west of Fred Meyer.

- **CPA2019-104 & Z2019-105:** Filed by the City of Richland to change land use designations and zoning districts on portions of city owned properties located at Leslie Grove Park, Howard Amon Park, Amon Preserve and W.E. Johnson Park.

Lead Agency: City of Richland

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

() There is no comment for the DNS.

() This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for fourteen days from the date of issuance.

(X) This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

Responsible Official: Mike Stevens

Position/Title: Planning Manager

Address: 625 Swift Blvd., MS #35, Richland, WA 99352

Date: June 21, 2019

Signature _____

City of Richland 2018-2019 Comprehensive Plan Policy and Map, and Code Amendments



**Attachment E:
Agency/Public Remarks and Comments**

Stevens, Mike

From: Rebecca Hiles <rhiles@kid.org>
Sent: Tuesday, June 11, 2019 3:27 PM
To: Stevens, Mike
Subject: RE: City of Richland 2018-2019 Annual Comprehensive Plan and Development Regulations Amendments

Mike,

KID has no comments on any of these amendments.

Rebecca S. Hiles, E.I.T.
Staff Engineer

Kennewick Irrigation District
2015 S. Ely Street
Kennewick, WA 99337
[509-460-5442](tel:509-460-5442) [Direct Line]
[509-586-6012](tel:509-586-6012) ext. 138 [Business Line]
[509-586-9111](tel:509-586-9111) [Customer Service]
<mailto:rhiles@kid.org>



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From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Wednesday, June 5, 2019 11:29 AM
To: Aaron Lambert <alambert@westrichland.org>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Lopez, Brandin <blopez@CI.RICHLAND.WA.US>; Somers, Cindi <CSomers@CI.RICHLAND.WA.US>; Penwell, Dan <DPenwell@CI.RICHLAND.WA.US>; gonsetp@wsdot.wa.gov; Husa, Ivar <ihusa@CI.RICHLAND.WA.US>; Rebecca Hiles <rhiles@kid.org>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; rittemwr@dfw.wa.gov; richard.krasner@rsd.edu; robin.priddy@bentoncleanair.org; sepaunit@ecy.wa.gov; separegister@ecy.wa.gov; segregations@co.benton.wa.us; Husa, Ivar <ihusa@CI.RICHLAND.WA.US>; USPS Ina N. Beutler <ina.n.beutler@usps.gov>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; Boring, Michael <MBoring@CI.RICHLAND.WA.US>; Penwell, Dan <DPenwell@CI.RICHLAND.WA.US>; Rebecca Hiles <rhiles@kid.org>; rittemwr@dfw.wa.gov; richard.krasner@rsd.edu; Seth Defoe <SDefoe@kid.org>; West, Julie <jwest@ci.richland.wa.us>; bmid@pocketinet.com; rickd@bfhd.wa.gov; dxrodgers@bpa.gov; carrie.thompson@bnsf.com; william.simpson@commerce.wa.gov; reviewteam@commerce.wa.gov; sepa@dahp.wa.gov; darrick@basindisposal.com; Jason McShane



Department of Energy

Bonneville Power Administration
2211 North Commercial Avenue
Pasco, WA 99301

TRANSMISSION SERVICES

June 17, 2019

In reply refer to: City of Richland 2018-2019 Annual Comprehensive Plan and
Development Regulations Amendments
Located in Benton County, Washington

Mike Stevens, Planning Manager
City of Richland Planning Department
505 Swift Blvd. MS#35
Richland, WA 99352

Dear Mike:

Bonneville Power Administration (BPA) has had the opportunity to review City of Richland 2018-2019 Annual Comprehensive Plan and Development Regulations Amendments. Proposals CPA2018-102-Z2018-105, CPA2018-103, CPA2018-104, CPA2019-101 – Z2019-101, CPA2019-102 – Z2019-102, CPA2019-103 – Z2019-103, and CPA2019-104 – Z2019-104 are for area wide rezoning. The properties are located in Richland, WA.

In researching our records, we have found that this proposal will not directly impact BPA facilities in these areas. BPA does not have any objections to the approval of these requests at this time.

Thank you for the opportunity to review this application. If you have any questions regarding this request or need additional information, please feel free to contact me. I can be reached at (503) 230-5510 or by email at mjdeklyen@bpa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike DeKlyen", is located below the "Sincerely," text.

Mike DeKlyen
BPA Field Realty Specialist

Stevens, Mike

From: Jeremy Brandstetter <jbrandstetter@gmail.com>
Sent: Monday, June 17, 2019 4:23 PM
To: Stevens, Mike
Subject: Comment for CPA2018-103: Filed by Brad & Thera Rew (HJBT Properties)

Mr Mike Stevens -

As an existing resident of Horn Rapids I welcome new families into our neighborhood however there is one glaring omission with the proposed action. The Horn Rapids community relies on homeowner dues to facilitate use and maintenance of the fountains/ponds/common areas/playgrounds/etc. As these new homes will be utilizing these facilities, and are for all practical purposes located within the neighborhood and thus cannot be prevent them from using them, it is only right to contractually require membership into the Horn Rapids Homeowners Association and pay their fair share of dues.

Sincerely,

Jeremy Brandstetter
Monarch Lane

Stevens, Mike

From: 3035bei@gmail.com
Sent: Wednesday, June 19, 2019 12:07 PM
To: Stevens, Mike
Cc: 3035bei@gmail.com
Subject: CPA2018-103

Grammatical corrections.

Action on subject comprehensive plan amendment application should be deferred until after conditional use approval of what is described as phase 3 on Exhibit A Future Plans Map and Timeline. It appears that it will be a challenge to fit Phase 3 facilities into the available space.

The 1.99 acres that are proposed for approval include specific facilities that are needed for a functional golf course. Removal of these facilities from an approved plan without first obtaining conditional use approval of an alternate plan is potentially hazardous to golf course viability. I am primarily concerned about adequate parking lot space.

Paragraph 3b describes the condition of the property as follows “currently, the townhome site is an eyesore; it consist of a rundown parking lot and under manicured/maintained land.” This description fits what has been described on the development plan as Phases 1 and 2, however it seriously misrepresents what is included in the 1.99 acres which appear to be in Phase 4. Exhibit H does a much better job of explaining what is included in the 1.99 acres. This includes a paved parking lot with curbs and gutters and what is probably described as native landscaping within the parking lot. The 1.99 acres also includes the golf cart garage and outside parking for golf carts and appears to interfere with the route for golf carts from the River Valley Drive entrance into the golf course area. In addition it decreases the size of the golf course by extending into the turf area of the golf course up to the east side of a golf cart path.

My recommendation on approval of this application is that it be deferred until there is conditional use approval for the golf cart garage, the exterior area for golf cart parking, an adequately sized new parking lot, and access to the golf course from The path alone River Valley Drive.

My interpretation of the restrictive covenant is more strict and I would not approve destruction of golf course landscaping for townhomes.

Thank you for your consideration. I am not familiar with the details of your land-use planning system and if there's anything in my recommendation that does not fit the Richland system please disregard them.

Eldon R. Johansen
2390 Delle Celle Drive
Richland, WA 99354
509-420-4083



**Washington State
Department of Transportation**

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

June 17, 2019

City of Richland
Development Services Department, Planning Division
625 Swift Boulevard
Richland, WA 99352

Attention: Mike Stevens, Planning Manager

Subject: CPA Bethel Church
I-182 at Shockley Road

We have reviewed the proposed comprehensive plan and zoning amendment application and have the following comments.

- The subject property is not adjacent to but is less than one mile from Interstate 182 (I-182), which is a fully-controlled limited access facility with a posted speed limit of 70 miles per hour.
- I-182 is an existing facility and the proponent will be generating more noise-sensitive land uses. The proponent and future residents should be aware that they are proposing residential development in an area with traffic noise. They should also expect that traffic noise may continue to grow into the future, and, as an essential public facility, I-182 may need to be expanded to accommodate future traffic growth. It is the developers' responsibility to dampen or deflect any traffic noise for this development.
- If approved, the proposed plan map changes will result in increased residential uses and increased traffic. We recommend that the City require that a traffic impact analysis (TIA) be done for future development proposals by a licensed traffic engineer at the proponent's expense. The TIA should be submitted to the City and WSDOT for review and comment. We request the TIA analyze the impacts to the I-182/Queensgate interchange.

Thank you for the opportunity to review and comment on these proposals. If you have any questions regarding our comment, please contact John Gruber at (509) 577-1636.

Sincerely,

Paul Gonseth, P.E.
Planning Engineer

PG: jg/df
cc: SR 240, 2019-5
Kara Shute, Area 3 Maintenance Superintendent

Stevens, Mike

From: Dolly Ammann <carolynnewammann@gmail.com>
Sent: Saturday, June 15, 2019 7:45 AM
To: Stevens, Mike
Subject: Proposed zoning change - Bethel Church submission

Dear Mr. Stevens,

Reference CPA2019-101 & Z2019-101 filed by the Bethel Church.

As residents living in close proximity to the proposed zoning change who would negatively be impacted, my husband and I are strongly opposed to this proposed zoning change. We purchased our home in a quite residential neighborhood of single family homes. We expected our home to maintain its value or increase in value. We do not want to see a change in the character of our neighborhood with this proposed zoning change to high density. WE are concerned about our property value. The addition of appointments on Shockley Road would greatly increase the traffic flow on Shockley. We already have excess traffic from the Bethel Church on Sundays.

We strongly oppose this proposed zoning change!!!

Lt. Col. Dolly Ammann (USAF Ret.)

1215 Cameo Drive
Richland, WA 993562
509-420-4712
Cell 509-392-1103
carolynnewammann@gmail.com

Stevens, Mike

From: Linda Edwards <plapper@frontier.com>
Sent: Wednesday, June 19, 2019 4:32 PM
To: Stevens, Mike
Cc: 'Marjorie Kaspar'; 'Matthew Gebarowski'; 'Rob & Shelly Colley'; 'Alicia Cullison'
Subject: Proposed Land Use Change - CPA2019-101 and Z2019-101 - Bethel Church

Mike Stevens,

The Board of Directors of Badger Mountain Village Homeowners Association opposes the proposed land use changes requested by Bethel Church.

We are also asking to be notified of any decisions pertaining to these amendment requests.

The reasons why we oppose this application are:

Loss of Property Values

We believe that this land use change will decrease property values. The more crowded our streets and sidewalks become, the less people will want to buy in BMV. They will buy homes further out to obtain the residential atmosphere that the zoning and land use designations promised when they bought. With two other developments in construction, we have not yet felt the full traffic impact to date. We believe that further high density development has been approved but not measured.

No "Safe Route to School"

Badger Mountain Village is comprised of 158 homes whose street perimeters are Westcliffe Blvd. and Gala Way. The Orchard School (on Gala Way) is where any child living in the high density, multi-family structures built on the 10 acres west of Bethel Church would attend. The most likely safe route for walking from Bethel to Orchard School:

Shockley Road east along a two-lane, double parked street;

Fuji Way south cutting through Applewood Estates;

Westcliffe Blvd. east – a 40 mile an hour arterial with heavy morning and afternoon traffic going 40 miles per hour;

South on Gala Way to the Orchard School.

This route would entail three (3) cross walks across three very busy streets. Today, there is only one cross walk. The privacy wall at Fuji Way and Westcliffe hides the children from being seen by oncoming traffic on Westcliffe Blvd.

Either walking or being driven to the Orchard School would involve sharing the residential streets with lots and lots of construction trucks going at high speed up and down the hilly Westcliffe Blvd. The speed limit on Westcliffe Blvd. has never been adequately monitored for

such a volatile mix of children, diesel trucks carrying construction equipment, and more auto traffic.

Inadequate Traffic Infrastructure

We believe that the streets in our South Richland neighborhoods are inadequate for the existing traffic without adding an additional 435+ trips per day. The right hand turn from Keene Blvd. onto Shockley is quite inadequate in approach to the traffic signal and once you turn the corner onto Shockley, the two-lane road suddenly turns into three (3) lanes (the very short and narrow center lane for turning left onto Fuji Way). Adding more traffic to these roads does not make sense to us without some traffic design changes.

Weekly Bethel Church has 30 soccer games every Saturday. The family parking overflows onto Applewood Estates streets. The parking from the soccer games uses all of Bethel's parking lot and both sides of Shockley Road and overflows onto the Applewood streets, including the cross streets, as well. Does Bethel propose using private police to keep Shockley open? We oppose any plan that brings more traffic and parking problems without resolving the problems that we have on Shockley Road and surrounding streets.

We want to thank you for allowing our comments and views to be heard and look forward to attending the Richland Planning Commission's public meeting on June 26th.

Sincerely,

L. Edwards

Linda Edwards, President

On Behalf of BMV HOA Board of Directors



Applewood Estates

Homeowner Association

1815 Jadwin Avenue
PO Box 2015
Richland, WA 99352-2015
Web Site – applewoodestateshoa.com

June 16, 2019

Mr. Mike Stevens
City of Richland Planning Manager
625 Swift Boulevard
Richland, WA 99352

Mr. Stevens,

The Applewood Estates Homeowners Association Board of Directors is submitting the following comments regarding proposed amendments CPA2019-101 and Z2019-101 to the City's comprehensive plan and zoning ordinance.

The Board represents more than 200 property owners impacted by any change to existing land use designations for the two parcels on Shockley Road. This proposal would increase traffic without adding compensatory measures.

Applewood Estates currently experiences "pass through" traffic from the Westcliffe and developments along Gala Way. We believe traffic count in our neighborhood will increase with the development of Jolianna Heights. Permitting multi-family housing on the two subject parcels will also increase "pass through" traffic to access Orchard Elementary.

The board would appreciate the opportunity to discuss with the city any compensatory measures to reduce the volume and speed of traffic through our neighborhood.

Lastly, the Board questions the future impact of this proposed land use change. We recognize the current owners are pursuing this change prior to selling the property. We appreciate the current owner's desire to not allow future apartments on the property. However, as the Association and City have experienced with Badger Mountain Village, current predictions and desires for future use are not reliable.

Therefore, the Board opposes this proposed land use change. The Board will continue to engage with the City on this issue and will encourage our residents to do so, too.

Sincerely,

Tony Valdez, President

Applewood Estates Homeowners Association & Board of Directors
(509) 430-1872

CC Bethel Church
The Vineyards HOA

Stevens, Mike

From: cog101@earthlink.net
Sent: Wednesday, June 19, 2019 2:33 PM
To: Stevens, Mike
Subject: Land Use Change Bethel Church

Dear Mr. Stevens,

I am the president of the Sundance Ridge Homeowners Association. Thank you for taking the time to talk to me this morning. I am writing you concerning the request for zoning change related to some of the Bethel Church property. Sundance Ridge is near, but not adjacent to Bethel Church and its property, but changes affecting the Bethel property can impact our residents. We understand that Bethel is planning to sell approximately 10 acres of its property adjacent to their church campus, and has requested a change in zoning from R-1, single family residential, to R-3 multi-family residential. I understand they are also offering to initiate a development agreement to limit the R-3 rezoning to exclude certain land uses: i.e., apartments, dormitories, fraternities and sororities, manufactured home parks and recreational vehicle parks.

The Sundance Ridge HOA opposes the change from R-1 to R-3, but with the above conditional agreement in place, we will not oppose the change to R-3, even though we still have reservations about the increased traffic that may result from this zoning change.

We look forward to following this project as it unfolds in our community.

Carl Gustafson, President
Sundance Ridge HOA



The Vineyards Homeowners Association
P.O. Box 1903
Richland WA 99352

June 18, 2019,

Mike Stevens
City of Richland Planning Manager
625 Swift Blvd.
Richland WA 99352

Dear Mr. Stevens,

On behalf of The Vineyards Homeowners Association Board of Directors, we are submitting the following comments regarding proposed amendments CPA2019-101 and Z2019-101 to the City's comprehensive plan and zoning ordinance.

Our Board represents property owners who will be greatly affected by any change to existing land use designations for the two parcels on Shockley Road.

Together with our neighbors, Applewood Estates, we are already experiencing significant traffic growth from development along Westcliffe and Gala Way, from access to Orchard Elementary, as well as the coming development of Jolianna Heights. The current proposal that permits multi-family housing along Shockley would ultimately increase traffic along our residential streets without compensatory measures.

As our community, Applewood Estates, and City have experienced with Badger Mountain Village, current predictions and desires for future use are not reliable. Therefore, The Vineyards Board opposes this proposed land use change. We will continue to engage with the City on this issue and will encourage our residents to do likewise.

Sincerely,

Mike Wasem, Vice President
Board of Directors
The Vineyards Homeowners Association
253-678-1282

cc: Applewood Estates HOA
The Vineyards Board and Homeowners

Stevens, Mike

From: Sharon Libby <libbybear@charter.net>
Sent: Sunday, June 16, 2019 2:20 PM
To: Stevens, Mike
Subject: Bethel Church Property

Dear Mike Stevens:

Regarding Bethel Church Property:

We do NOT want a bunch of apartments or more multi-family homes added off of Shockley. Those of us that live in Applewood Estates have enough problems now with traffic at the Shockley and Keene intersection.

Adding multi-housing complexes will undoubtedly add more vehicle traffic. If apartments are built it will affect our property value too.

On Sundays they already have police officers directing traffic because there are so many that attend Bethel Church.

I trust that this request will be denied. We sure hope so. Please keep us informed.

Blessings, Sharon and Rick Libby

1472 Chardonnay Drive, Richland, WA

Stevens, Mike

From: Stan and Valerie <svdouglas@charter.net>
Sent: Sunday, June 16, 2019 10:35 AM
To: Stevens, Mike
Subject: Bethel Church application for high density housing.

Dear Mr. Stevens,

I am sending this Email to express my objection for the proposed rezoning of the property owned by the Bethel Church bordered by Shockley and Keene roads for high density housing. I live at 1781 Sauvignon Ct. and already deal with the Bethel Church events such as youth soccer and other member events. During these events members completely ignore parking and sound limits. They park on both sides of Shockley and down Chardonnay.

Allowing high density housing on their property will increase traffic and compound parking issues on Shockley. And it will only increase more if the Jolianna Heights gets their ill-conceived road through at the exact same place. Why the Jolianna project ever got approved is beyond me, but that is another topic.

I moved into the Vineyards to avoid traffic issues and to own a property that would increase in value. This housing project will diminish the property values by encouraging denser housing in close proximity of this Richland community. It will increase the traffic and speeding on the 20 MPH Shockley road and create a parking problem. The zoning of this property should remain the same as the neighborhood, low density. It was zoned that way to prevent this kind of thing from happening.

Although the application claims the church wants to sell the property for future development, while precluding future apartments on the property, anyone with any experience owning property knows that that is meaningless. One can only look at this situation to see how you get zoning restrictions changed.

If the church wants to sell the property they can sell it as low-density property and let it be developed like the rest of the neighborhood and put single family homes there.

I encourage you to stop this proposal, keep the intended zoning and not make the mistake we made with terraced Jolianna heights.

Sincerely,

Stanford P. Douglas
1781 Sauvignon Court, Richland Wa.

509 737 1956

Stevens, Mike

From: Sunny Duncan <sunnyduncan1009@yahoo.com>
Sent: Sunday, June 16, 2019 8:30 AM
To: Stevens, Mike
Subject: Proposal for Bethel Church to put in multi-family housing

We are hearing that Bethel Church on Shockley is asking to put in multi-family dwellings on it's property. As a homeowner in the Vineyards, across the street from the church, I am asking you to deny their request. We already have so much traffic from the church during services and when they have their sports activities! It will bottleneck Shockley and Keene! We get so much noise from their loud speakers that we can hear them inside our house when our doors are closed! Thank you for considering our requests.

Eric and Sunny Pedersen
1750 Sauvignon CT
Richland, WA 99352
503-577-0290

June 13, 2019

City of Richland
Development Services Department, Planning Division
625 Swift Boulevard
Richland, WA 99352

Attention: Mike Stevens, Planning Manager

Subject: CPA2018-103 (HJBT Properties) and CPA 2019-102 (Northstone Richland LLC)
SR 240 at Horn Rapids Golf Course / Village Parkway / Kingsgate Way

We have reviewed the proposed comprehensive plan and zoning amendment applications and have the following comments.

- The subject properties are not adjacent to but are near State Route (SR) 240, a partially-controlled limited access facility with a posted speed limit of 55 miles per hour. WSDOT has acquired all access rights to the highway. Direct access is prohibited.
- The subject properties are located in a rapidly growing area along SR 240 that is experiencing increased vehicular traffic. Recent transportation planning efforts by WSDOT and local agencies with input from the general public, including area residents, identified congestion, delay in travel, noise associated with vehicle traffic, and safety issues on this section of the two-lane highway.
- SR 240 is an existing facility and the proponent will be generating more noise-sensitive land uses. The proponent and future residents should be aware that they are proposing residential development in an area with traffic noise. They should also expect that traffic noise may continue to grow into the future, and, as an essential public facility, SR 240 may need to be expanded to accommodate future traffic growth. It is the developers' responsibility to dampen or deflect any traffic noise for this development.
- If approved, the proposed plan map changes will result in increased residential uses and increased traffic. We recommend the City require that a traffic impact analysis (TIA) be done for future development proposals by a licensed traffic engineer at the proponents' expense. The TIA should be submitted to the City and WSDOT for review and comment. We request the TIA analyze the impacts to the capacity and level of service of SR 240 and also at its intersections with Village Parkway and Kingsgate Way.

Thank you for the opportunity to review and comment on these proposals. If you have any questions regarding our comment, please contact John Gruber at (509) 577-1636.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Gonseth", with a stylized flourish at the end.

Paul Gonseth, P.E.
Planning Engineer

PG: jg/df

cc: SR 240, 2019-5
Kara Shute, Area 3 Maintenance Superintendent



**Washington State
Department of Transportation**

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

June 13, 2019

City of Richland
Development Services Department, Planning Division
625 Swift Boulevard
Richland, WA 99352

Attention: Mike Stevens, Planning Manager

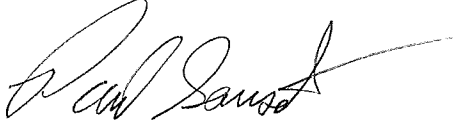
Subject: CPA2019-103 & CPA2019-104 – Tim Bush
Duportail Drive/Wellhouse Loop and SR 240 at Thayer Avenue/Lawless

We have reviewed the proposed comprehensive plan and zoning amendments from Developed Open Space to High Density Residential and Retail Business C-2, and have the following comments.

- The subject properties are adjacent to or near State Route (SR) 240, a partially-controlled limited access facility with a posted speed limit of 55 miles per hour. WSDOT has acquired all access rights to the highway. Direct access is prohibited.
- The subject properties, upon plan and zoning map change approval, will allow future development that will generate additional traffic than the current land uses. As developments are proposed on the properties, they will be subject to review for their impacts to the WSDOT system. Impacts that are determined to be significant will require mitigation, and it is anticipated that all costs will be borne by the development(s).
- The following comments apply to CPA2019-104:
 - This parcel is located near the Aaron Drive intersection with SR 240. This intersection and adjacent city streets are congested and have been identified as key areas for analysis and traffic flow improvements. Of particular concern to the department are the effects developments have on highway capacity, their proposed ingress and egress, retention and treatment of stormwater, outdoor lighting, noise sensitivity, and signage. This information is normally obtained through a Traffic Impact Analysis (TIA) performed by the developer.
 - This parcel abuts state operating right of way. For the safety and security of the state right of way, the proponent will need to construct a six-foot tall solid barrier fence (no gates) on their property. Typically, the right of way fence lies one foot inside of the right of way line and must not be altered or moved.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding our comment, please contact John Gruber at (509) 577-1636.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Gonseth", with a long horizontal flourish extending to the right.

Paul Gonseth, P.E.
Planning Engineer

PG: jg/df
cc: SR 240, 2019-4
Kara Shute, Area 3 Maintenance Superintendent



South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

June 13, 2019

City of Richland
Development Services Department, Planning Division
625 Swift Boulevard
Richland, WA 99352

Attention: Mike Stevens, Planning Manager

Subject: CPA2018-102 & Z2018-105 – Richland Fire Department
SR 240 at Stevens Drive/Jadwin Avenue

We have reviewed the proposed comprehensive plan and zoning amendment. We support the proposal and have the following comments.

- The subject property is adjacent to State Route (SR) 240, a partially-controlled limited access facility with a posted speed limit of 55 miles per hour. WSDOT has acquired all access rights to the highway. Direct access is prohibited.
- WSDOT has participated in the review of using this site location for a new fire station, including effects to traffic flow on SR 240 and its intersection with Stevens Drive/Jadwin Avenue. WSDOT looks forward to the continued coordination with the City of Richland and the proponent regarding site development and access.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding our comment, please contact John Gruber at (509) 577-1636.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Gonseth', written over a light blue horizontal line.

Paul Gonseth, P.E.
Planning Engineer

PG: jg/df

cc: SR 240, 2019-3
Kara Shute, Area 3 Maintenance Superintendent

Comments on City of Richland Zoning Map and Land Use Map amendments CPA2019-104 and Z2019-105 in Leslie Groves Park

1. Leslie Groves Park is a heavily used City of Richland asset. It's an asset with spiritual as well as physical dimensions. It contributes significantly to the quality of life in Richland. It is a drawing card attracting people to our area, and thus supports the region's flourishing. The inspiring Columbia River immediately adjacent is a key part of the park's attractiveness and value to the City and its citizens.
2. Two forms of recreation, walking and biking, are supported with paths running the length of the park. The walking path along the boundary of the proposed Comprehensive Plan and Zoning Amendments is heavily used year around even when impeded by snow.
3. The Comprehensive Plan for the section of the park north of Newcomer recognizes an integrated view of park activities with the majestic Columbia River as background; it is even directly accessible for water sports in two places. While current landscaping maintenance doesn't fully recognize and support this integration, the possibility is supported by the Land Use Map and Zoning Map.
4. To the extent that the park's visual connection to the river is cut off by the obscuring presence of uncontrolled foliage, Russian Olives, and noxious weeds, the quality of the riverside experience is significantly degraded; nevertheless, the Comprehensive Plan conveys a vision of the the park and the river as a purposeful whole.
5. The future development of the park south of Newcomer should begin with an *upgrading* of the walking and biking experience by opening the adjacent water view with minimal landscape maintenance. The proposed change in the Comprehensive Plan and Zoning reveals a fragmented perspective, one that doesn't recognize the integral role of the River and steps away from integration. It formalizes the intention of blocking the river connection with unmanaged foliage and plants.
6. Appropriate wildlife habitat needs to be balanced with the human values in the park vision, without unduly damaging either. This means some management for trees, plants, and ground cover, as well as selective support for wildlife. The cost of such management is less expensive than, for instance, lawn, but supports the needs of many users.

Conclusion:

The comprehensive plan and zoning alterations need to foster integration of Leslie Groves Park with the Columbia River, certainly not separate them. The proposed change represents a view emphasizing short term convenience; the need is for a vision that recognizes the unique potential contribution that the Columbia River makes to the park. The proposed changes do not foster the needed integration between the river and Leslie Groves Park. They turn away from vital future possibilities and should be rejected.

bethel
making disciples



February 28, 2019

Mike Stevens
Development Services
City of Richland
505 Swift Blvd
Richland, WA 99352

Re: Bethel Church Comprehensive Plan Change Application

Dear Mike:

Attached is a completed application for a comprehensive plan amendment for a 10-acre property on Shockley Road owned by Bethel Church. Also attached is a check for \$1,385, the application fees for both the plan amendment and SEPA review along with the following documents:

- Attachment A—Legal Description
- Attachment B—Survey Map
- Attachment C—Statement in Support of Comprehensive Plan Application
- Attachment D—Consistency with Goals of the Growth Management Act
- Attachment E—Consistency with the Benton County Countywide Planning Policies
- Attachment F—Consistency with the City of Richland Comprehensive Plan
- Attachment G—SEPA Environmental Checklist
- Attachment H—Wetland Report
- Attachment I—Geotechnical Evaluation
- Attachment J—Vicinity Map
- Attachment K—Existing Land Use Map
- Attachment L—Comprehensive Plan Map
- Attachment M—Zoning Map
- Attachment N—Street Classification Map
- Attachment O—Topographical Maps

If you should have any questions or need additional information, please contact me.

Sincerely,

Rick Simon
rpsimon60@gmail.com
509-531-0142



Comprehensive Plan Amendment Application



Comprehensive Plan Land Use Map



Text of Comprehensive Plan

Note: A Pre-Application meeting is advised prior to submittal of an application

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: Bethel Church

Jim Dirks

Address: 600 Shockley Road, Richland, WA 99352

Phone: 509.628.0150

Email: richland@bethel-church.org

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company:

UBI#

Contact: Rick Simon

Address:

Phone: 509.531.0142

Email: rpsimon60@gmail.com

PROPERTY INFORMATION

Legal Description: See Attachment A

Parcel # See Attachment A

Current Zoning: R1-12 Single Family Residential

Current Land Use Designation: Low Density Residential

GENERAL REQUIREMENTS FOR ALL APPLICATIONS – Attach written statements explaining the following

1. Completed Application and Filing Fee;
2. The purpose of the proposed amendment;
3. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (The goals the Act are listed in 36.70A.020);
4. How the amendment is consistent with the adopted countywide planning policies;
5. How the amendment furthers the purpose of the city's comprehensive plan;
6. How the amendment is internally consistent with the city's comprehensive plan, as well as other adopted city plans and codes;
7. If applicable, how the project will meet concurrency requirements for transportation;
8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
9. **Comprehensive Plan TEXT AMENDMENT applications must also include;**
 - a. The proposed element, chapter, section and page number of the comp plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
10. **Comprehensive Plan MAP AMENDMENT applications must also include;**
 - a. The current land use map designation for the subject parcel(s).
 - b. The land use map designation requested.
 - c. A complete legal description describing the combined area of the subject parcel(s)
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All road abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
 - iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable

- v. The location of existing utilities serving the subject parcels including electrical, water and sewer;
- vi. The location and uses of existing structures located on the subject parcel(s);
- e. Topographical map of the subject parcels and abutting properties at a scale of a minimum of one inch represents 200 feet (1:200);
- f. The current official zoning map designation for the subject parcel(s);
- g. A detailed plan which indicates any proposed improve
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- h. A corresponding zoning map amendment application, where necessary to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- i. A description of any associated development proposals. Development proposals shall not be processed concurrent with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the city's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the city will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The city shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

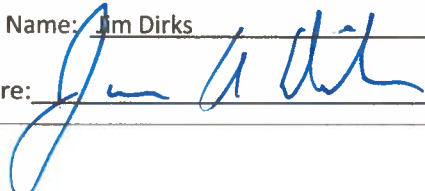
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Jim Dirks

Applicant Signature: 

Date March 1, 2019

Attachment A
Bethel Church
Comprehensive Plan Amendment Application
Legal Descriptions

Parcel A:

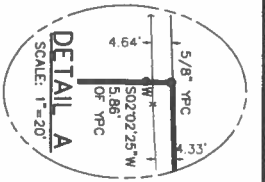
- i. Tax ID Number: 122983000006002
- ii. Acreage: 5.1
- iii. Legal Description: The west 268.37 feet of the east 1131.63 feet of the portion of the west 2054.40 feet of the southwest $\frac{1}{4}$ of Section 22, lying south of the following description line: beginning at a point on the west line of said section distance 797.55 feet north of the southwest corner thereof, thence east parallel with the south line of said section 733 feet, thence easterly in a straight line to a point on the east line of said west 2054.40 feet which is 827.10 feet north of the south line of said section and the term of said description line: except the south 30 feet for roads (Per survey #960 1-21-85).

Parcel B:

- i. Tax ID Number: 122983000006003
- ii. Acreage: 5.1
- iii. Legal Description: Portion of the southwest $\frac{1}{4}$ defined as follows: the west 284.02 feet of the east 845.31 feet of the portion of the west 2054.40 feet of the southwest $\frac{1}{4}$ of Section 22, lying south of the following description line: beginning at a point on the west line of said section distance 797.55 feet north of the southwest corner thereof thence east parallel with the south line of said section 22, 733 feet thence easterly in a straight line to a point of east line of said west 2054.40 feet which is 827.10 feet north of the south line of said section and the term of said description line: except the south 30 feet thereof for roads. (Per survey #960 1-21-85.)

RECORD SURVEY NO. _____

FOR A BOUNDARY LINE ADJUSTMENT
S. 1/2 OF OF SEC. 22, T.09N., R.28E., W.M.
CITY OF RICHLAND,
BENTON COUNTY, WASHINGTON



NOT TO SCALE

LOT 3
PER SP 3193

DENNIS COSENS
PER RS 1098

1/2" REBAR

337.76' (337.47')

N89°15'30"E

410.86'

N40°42'58"E

150.04'

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ORIGINAL DESCRIPTIONS

PARCEL A

THE WEST 284.02 FEET OF THE EAST 845.31 FEET OF THE PORTION OF THE WEST 2054.40 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, LYING SOUTH OF THE FOLLOWING DESCRIPTION LINE: BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANT 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.40 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIPTION LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROADS.

ALSO KNOWN AS TRACT 3 PER RS 1098, RECORDED IN VOLUME 1 OF SURVEYS, PAGE 1098, RECORDS OF BENTON COUNTY, WASHINGTON.

TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS, OF RECORD AND IN VIEW.

PARCEL B

THAT PORTION OF THE SOUTH HALF OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22, THENCE NORTH 89°53'20" WEST 609.28 FEET ALONG THE SOUTH LINE OF SAID SECTION 22, THENCE NORTH 89°53'20" WEST 45.31 FEET ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE NORTH 48°25'56" WEST 45.31 FEET ALONG SAID SOUTHWESTERLY LINE TO THE NORTH RIGHT OF WAY OF SHOCKLEY ROAD; THENCE NORTH 89°53'20" WEST 859.14 FEET ALONG SAID NORTH LINE TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89°53'20" WEST 398.03 FEET ALONG SAID NORTH LINE TO A POINT ON THE EAST LINE OF WEST 2054.40 FEET OF SAID SOUTH HALF OF SECTION 22; THENCE NORTH 1°22'48" EAST 797.10 FEET ALONG SAID EAST LINE TO A POINT ON THE NORTH LINE OF THE SOUTH 826.9 FEET OF SAID SECTION 22; THENCE SOUTH 89°53'20" EAST 337.42 FEET ALONG SAID NORTH LINE TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE SOUTH 48°25'56" EAST 410.68 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 41°34'04" WEST 400.00 FEET; THENCE SOUTH 00°06'40" WEST 225.23 FEET TO THE SAID TRUE POINT OF BEGINNING.

TOGETHER WITH THE WEST 281.75 FEET TO THE EAST 561.29 FEET OF THAT PORTION OF THE WEST 2054.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION A DISTANCE OF 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 22, THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.00 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD.

TOGETHER WITH THE EAST 279.54 FEET OF THAT PORTION OF THE WEST 2054.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY WASHINGTON LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

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EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD.

TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS, OF RECORD AND IN VIEW.

TRANSFER PARCEL

THAT PORTION OF TRACT 3 ACCORDING TO RECORD SURVEY 1-1098, THEREOF RECORDED IN VOLUME 1 OF SURVEYS, PAGE 1098, RECORDS OF BENTON COUNTY, WASHINGTON, LYING IN THE SOUTH HALF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT 3, THENCE SOUTH 89°16'03" WEST ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT 3, 99.13 FEET; THENCE NORTH 19°35'27" EAST 129.28 FEET; THENCE NORTH 23°55'06" EAST 143.36 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID TRACT 3; THENCE SOUTH 00°32'05" WEST ALONG SAID EASTERLY BOUNDARY OF SAID TRACT 3, 251.57 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 13164 SF

TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS, OF RECORD AND IN VIEW.

NEW DESCRIPTIONS

REVISED PARCEL A: THAT PORTION OF THE EAST 845.31 FEET OF THE PORTION OF THE WEST 2054.40 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, LYING SOUTH OF THE FOLLOWING DESCRIPTION LINE: BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANT 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.40 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIPTION LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROADS.

ALSO KNOWN AS TRACT 3 PER RS 1098, RECORDED IN VOLUME 1 OF SURVEYS, PAGE 1098, RECORDS OF BENTON COUNTY, WASHINGTON.

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT 3, THENCE SOUTH 89°16'03" WEST ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT 3, 99.13 FEET; THENCE NORTH 19°35'27" EAST 129.28 FEET; THENCE NORTH 23°55'06" EAST 143.36 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID TRACT 3; THENCE SOUTH 00°32'05" WEST ALONG SAID EASTERLY BOUNDARY OF SAID TRACT 3, 251.57 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 4.83 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS, OF RECORD AND IN VIEW.

REVISED PARCEL B: THAT PORTION OF THE SOUTH HALF OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

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EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD.

TOGETHER WITH THAT PORTION OF TRACT 3 PER RS 1098, RECORDED IN VOLUME 1 OF SURVEYS, PAGE 1098, RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT 3, THENCE SOUTH 89°16'03" WEST ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT 3, 99.13 FEET; THENCE NORTH 19°35'27" EAST 129.28 FEET; THENCE NORTH 23°55'06" EAST 143.36 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID TRACT 3; THENCE SOUTH 00°32'05" WEST ALONG SAID EASTERLY BOUNDARY OF SAID TRACT 3, 251.57 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 19.24 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS, OF RECORD AND IN VIEW.

RECORD SURVEY NO. _____

FOR A BOUNDARY LINE ADJUSTMENT
S. 1/2 OF OF SEC. 22, T.09N., R.28E., W.M.

CITY OF RICHLAND,
BENTON COUNTY, WASHINGTON

SURVEY FOR

BETHEL CHURCH

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 2018 AT _____ MINUTES PAST _____, M., AND RECORDED IN VOLUME _____ OF SURVEYS PAGE _____ AT THE REQUEST OF ARON A. DYCK, P.L.S.

BENTON COUNTY AUDITOR

DEPUTY _____ FEE NO. _____



STRATTON SURVEYING & MAPPING, PC

317 KENNEDY, WA 99336
(509) 735-7364
FAX: (509) 735-6980
stratton@stratton-surveying.com

© 2018

5402R51.DWG

DATE: 04/09/18

DRAWN BY: SPW

SHT. 2 OF 2

JOB # 5402

Attachment C
Bethel Church
Statement in Support of
2019 Comprehensive Plan Amendment Application

1. Purpose of the Proposed Amendment:

The 10-acre site which is the subject of this application has been part of the Bethel Church Richland campus since the church was originally constructed approximately 20 years ago. It has been determined to be surplus to our needs and the desire is to sell the property for development. As the neighborhood has seen significant growth and change during the last 20 years, the present low density residential comprehensive plan designation no longer represents the best and highest use for this property. Therefore, this application proposes to change the land use designation to high density residential. The goal is to provide a site for higher density residential development, such as townhomes, senior housing or a nursing home. The intent is not to develop the property with apartments and this Comprehensive Plan Amendment Application specifically eliminates apartments as a future development choice.

2. Describe how the amendment is consistent with the goals of the Washington State Growth Management Act

Refer to Attachment D – GMA Planning Goals

3. Describe how the amendment is consistent with the adopted countywide planning policies

Refer to Attachment E – Consistency with CWPP

4. Describe how the amendment furthers the purpose of the City's comprehensive plan

Refer to Attachment F – Consistency with City Plan

5. Describe how the amendment is internally consistent with the City's comprehensive plan as well as other adopted city plans and codes:

Attachments D through F all describe how this application is consistent with the goals of the Growth Management Act, the Countywide Planning Policies and the goals of the City's Comprehensive Plan. We believe the proposal to be entirely consistent with these documents. In fact, the application would help to further the goals of the City's plan. Specifically, approval of the proposed amendment would help to increase housing choices in South Richland, in furtherance of Land Use Goal 3. The great majority of residential development within South Richland has been for detached single family housing. Opportunities for other housing types are very limited. With expanding senior populations, the need for housing for retirement homes, nursing homes or independent housing designed for lower maintenance is growing. Amending the plan as requested would help to meet some of this growing demand.

6. If applicable, how the project will meet concurrency requirements for transportation

Concurrency requirements will need to be addressed in detail when a specific development plan is brought forward. That is part of the City's requirement for reviewing development proposals (See RMC 19.650.010(C)). However, some general assumptions about the site can be made to determine the numbers of units and traffic volumes that may be generated by the type of residential development that could occur on site if the proposed amendment is approved and are as follows:

- A. R-3 zoning standards for minimum lot size and dwelling type are used;
- B. Total site size of 10 acres, of which approximately 8 acres are available for development, after discounting the area taken by the existing irrigation pond;
- C. Twenty percent of the remaining area would be used for infrastructure and public facilities needed to support the development (streets, utilities, stormwater facilities)
- D. The remaining area (6.4 acres) would be available for development:

Unit Type	Minimum Lot Size	Maximum No. of Units	Average Daily Traffic/Per Unit**	Total Average Daily Trips
Detached Single Family (existing R1-12 zoning)	12,000 sq. ft.	23	8.2	189
Detached Single Family (R1-10 zoning)*	10,000 sq. ft.	27	8.2	221
Detached Single Family	4,000 sq. ft.	69	8.2	566
Duplex	7,000 sq. ft.	78	8.0	624
Attached Townhomes	3,000 sq. ft.	92	7.32	673

*R1-10 zoning would be possible under the existing Low Density Residential plan designation.

**From ITE Trip Generation Manual

For purposes of determining the increase in traffic that would result from amendment to the comprehensive plan and a rezone, the traffic volumes that could be generated through the existing zoning would need to be discounted. Therefore, the maximum increase in traffic, represented by a townhome development would be a total of 435 average daily trips.

The other potential land use contemplated in this application, a retirement home or nursing home is a low volume traffic generator and would be significantly less than the other uses listed above.

7. Supplemental environmental review and/or critical areas review

The application includes a completed environmental checklist, a wetland report and a geotechnical evaluation. See attachments G-I.

8. Comprehensive Plan Text Amendment

This application does not include any proposed text amendments.

9. Comprehensive Plan Map Amendment

A. The following maps depicting the site and surrounding properties are attached:

1. Vicinity Map
2. Existing Land Use Map
3. Comprehensive Plan Map
4. Zoning Map
5. Street Classification Map
6. Topographical Maps
7. Survey

B. Existing utilities, including power, water and sewer are available within the Shockley Road right-of-way, adjacent to the site.

C. No plans exist for the future development of the site. The Church intends to offer the property for sale, so future owners will develop plans for the property. At that time, the identification of street extensions and/or street improvements, utility line extensions, storm drainage facilities and circulation and traffic patterns will be made.

D. Upon approval of the proposed comprehensive plan amendment, Bethel Church will submit an application for a change in zoning on the site to R-3 Multi-Family Residential. This rezone application will be accompanied by a request to eliminate the following uses from the list of uses allowable R-3 land uses:

1. Apartments;
2. Dormitories, Fraternities and Sororities;
3. Manufactured Home Park;
4. Recreational Vehicle Park.

This zoning restriction could be accomplished through a property use and development agreement that would be executed during the rezoning process or some other mechanism as determined by the City of Richland.

Attachment D
Bethel Church Application for Comprehensive Plan Amendment
Consistency with Growth Management Act Goals

The goals of the Washington State Growth Management Act (RCW 36.70A.020) are reprinted below with a brief statement identifying how the proposed comprehensive plan amendment relates to the GMA goal.

- (1) **Urban growth.** *Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

Response: The proposed comprehensive plan amendment would occur in an area that is already served by public utilities and an existing street network.

- (2) **Reduce sprawl.** *Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

Response: The proposed comprehensive plan amendment site is centrally located, near arterial and collector streets, commercial properties and a large church. It seeks to increase density. The proposal could not be considered to be sprawl and could more accurately be described as infill development.

- (3) **Transportation.** *Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.*

Response: The proposed comprehensive plan amendment site is located adjacent to an existing arterial collector street and is less than a ¼ mile from a transit route.

- (4) **Housing.** *Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.*

Response: The proposed comprehensive plan amendment would increase allowable development densities on the site and would provide a variety of housing types that are not permissible under current development regulations.

- (5) **Economic development.** *Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.*

Response: The proposed comprehensive plan amendment would change the allowable residential density on a 10 acre site and would not directly impact the state's economic development goals.

- (6) **Property rights.** *Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.*

Response: The proposal does not involve the taking of private lands for public purposes.

- (7) **Permits.** *Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.*

Response: The proposed comprehensive plan amendment has been filed in accordance with City regulations.

- (8) **Natural resource industries.** *Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.*

Response: The proposed comprehensive plan amendment does not involve natural resource land or agricultural lands.

- (9) **Open space and recreation.** *Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.*

Response: The proposed comprehensive plan amendment would change only the residential designation on the land. Under the existing comprehensive plan, the land was not identified for use as park or open space. An existing City park is located approximately one mile east of the site and within ¼ mile of the Keene Road pedestrian trail.

- (10) **Environment.** *Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.*

Response: Development of the site would be subject to City and State environmental regulations under either the existing or proposed land use designations. There are no natural water features on-site

- (11) **Citizen participation and coordination.** *Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.*

Response: The application was filed in accordance with existing City regulations, which will require public notification and hearings before both the Planning Commission and City Council.

- (12) **Public facilities and services.** *Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.*

Response: The proposed comprehensive plan amendment site is located in an area where public facilities and services are present and serve an existing neighborhood. The proposal represents an incremental increase in the intensity of development, but would not be at a scale that would likely result in a decrease of current service levels.

- (13) **Historic preservation.** *Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.*

Response: There are no structures on the site and no known sites of historical or archaeological significance.

Attachment E
Bethel Church Application for Comprehensive Plan Amendment
Consistency with County Wide Planning Policies

The Benton County Wide Planning Policies most recently adopted by the Benton County Commission on February 7, 2017 are reprinted below with a brief statement identifying how the proposed comprehensive plan amendment relates to the adopted County Wide Planning Policies.

Policy 1: *The comprehensive plans of Benton County and each of the cities therein shall be prepared and adopted with the objective to facilitate economic prosperity by accommodating growth consistent with the 12 goals of the Growth Management Act.*

Response: A specific response as to how the application is consistent with the 12 goals of the Growth Management Act is addressed in Attachment D.

Policy 2: *The County shall allocate future projected populations through the use of the latest population projections published by the Washington State Office of Financial Management (OFM). Allocation of future populations shall be based on the following distribution: City of Kennewick 40% of total county population; City of Richland 28% of total county population; Benton County 19% of total county population; City of West Richland 8% of total county population; City of Prosser 3% of total county population and City of Benton City 2% of total county population. The County, in consultation with the Cities will review the OFM population projection ranges (Low, Medium, and High) and allocation percentages whenever OFM publishes new GMA population projections.*

Response: The proposed comprehensive plan amendment would not have any direct impacts on population projections for either the County or the City and would not involve any changes to the population allocation formula.

Policy 3: *The locating of Urban Growth Areas within the County shall be accomplished through the use of accepted planning practices which provide sufficient land and service capacity, up to the determined need, to meet project populations at urban densities and service standards within the Cities, and urban densities for those portions of the County located within the urban growth areas.*

Response: The proposed comprehensive plan amendment would provide for increased density on 10 acres within the City of Richland in a location where the existing and projected utility infrastructure and street network could accommodate the impacts of the increased density. The slight increase in density would help the City to accomplish the goal of providing for adequate area to meet its expected population increase.

Policy 4: *That Urban Growth Areas of each City shall be based upon official and accepted population projections for minimum of 20 years. The gross undeveloped and underdeveloped acreage within the city limits and the Urban Growth Area shall be sufficient to meet all the land requirements, for the following: community and essential public facilities, population projection, commercial and industrial activities, employment projections, infill and to prevent inflation of land cost due to a limited land supply. (Note: The formula for identifying per capita land needs included in this policy has not been reprinted here.)*

Response: The proposed comprehensive plan amendment represents an infill opportunity within the City and would provide for an increase in density within a small area, thus helping

the City to provide adequate land area to provide for the population growth projected for the City.

Policy 5: *That within the urban growth area, urban uses shall be concentrated in and adjacent to existing urban services or where they are shown on a Capital Improvement Plan to be available within 6 years.*

Response: The proposed comprehensive plan amendment occurs in an area where urban services already exist and can readily be extended to the site.

Policy 6: *That cities limit the extension of service district boundaries and water and sewer infrastructure to areas within each jurisdiction's urban growth area contained in their adopted Comprehensive Plan. Utility plans should attempt to reflect possible needs for 50 years.*

Response: The proposed comprehensive plan amendment does not involve the extension of service district boundaries and occurs in an area where existing utility infrastructure is already in place.

Policy 7: *Within each Comprehensive Plan, the Land Use Plan for urban growth areas shall designate urban densities and indicate the general locations of greenbelt and critical areas.*

Response: The proposed comprehensive plan amendment would result in an increase in the allowable urban density for the 10 acre site. It would occur in an area where there are neither opportunities for greenbelts or critical areas are present.

Policy 8: *Wherever possible, given consideration of all other variables, such as existing unused service infrastructure, the placement of an urban growth line into an area of existing commercial agriculture shall be avoided.*

Response: The proposed comprehensive plan amendment does not involve either the movement of an urban growth line or the conversion of commercial agricultural lands.

Policy 9: *The appropriate directions for the expansion of urban growth areas are those which are unincorporated land with existing service infrastructure and lands adjacent to corporate limits.*

Response: The proposed comprehensive plan amendment does not involve an expansion of an urban growth area boundary. The site is located within an existing urban growth area and falls within the corporate limits of the City of Richland.

Policy 10: *All policies within each jurisdiction's Comprehensive Plans shall be modified to be consistent with adopted Countywide Policies.*

Response: The proposed comprehensive plan amendment would not require the amendment of any policies within the City of Richland Comprehensive Land Use Plan.

Policy 11: *The County and Cities, along with public participation shall develop a cooperative regional process to site essential public facilities of regional and statewide importance. The objective of the process shall be to ensure that such facilities are located so as to protect environmental quality, optimize access and usefulness to all jurisdictions, and equitably distribute economic benefits/burdens throughout the region or county.*

Response: The proposed comprehensive plan amendment does not involve the siting of essential public facilities.

Policy 12: *Support the existing solid waste program that promotes and maintains a high level of public health and safety, protects the natural and human environment of Benton County and encourages public involvement by securing representation of the public in the planning process.*

Response: The proposed comprehensive plan amendment would not impact existing solid waste programs.

Policy 13: *Encourage and expand coordination and communication among all jurisdictions and solid waste agencies/firms in Benton and Franklin Counties in order to develop consistent and cost effective programs that avoid duplication of effort and gaps in program activities.*

Response: The proposed comprehensive plan amendment would not impact existing solid waste programs.

Policy 14: *Maintain active County-City participation in the Regional Transportation Planning Organization in order to facilitate City, County and State coordination in planning regional transportation facilities and infrastructure improvements to serve essential public facilities including Port District facilities and properties.*

Response: The proposed comprehensive plan amendment would not impact existing City, County or regional transportation plans. Rather, the proposal relies on the existing street network and would not involve a need to re-classify existing collector or arterial street segments.

Policy 15: *The County and Cities within shall work together to provide housing for all economic segments of the population. All jurisdictions shall seek to create the conditions necessary for the construction of affordable housing, at the appropriate densities within the cities and county. The following actions should be accomplished:*

- a. Jointly quantify and project total countywide housing needs by income level and housing type (i.e. rental, ownership, senior, farm worker housing, group housing.)*
- b. Establish a mechanism whereby the housing efforts/programs of each jurisdiction address the projected countywide need.*
- c. Address the affordable housing needs of very low, low and moderate income households, and special needs individuals through the Comprehensive Housing Affordability Strategy (CHAS).*
- d. Develop design standards for implementation within the Comprehensive Plan with special attention to be given to the residential needs of low to moderate income families.*

Response: In South Richland, the great majority of residential land is designated exclusively for single family development, resulting in a pattern of low density housing. These single family neighborhoods tend to include the most expensive homes within the City. The proposed comprehensive plan amendment would provide for increased density and a wider variety of housing types. While density alone does not determine affordability, the amendment would result in an increase in housing choices available in South Richland.

Policy 16: *Urban growth areas may include territory located outside of a city if such territory may be characterized by urban growth or is adjacent to territory already characterized by urban growth. Within urban growth areas, only urban development may occur. (Note: the definition of “urban” included in the policy language has not been reprinted here.)*

Response: The proposed comprehensive plan amendment is located in an area that is incorporated within the City of Richland and is already part of Richland’s Urban Growth Area. Therefore, the proposed amendment would not impact urban growth area boundaries.

Policy 17: *To encourage logical expansion of corporate boundaries into urban growth areas, and to enable the most cost efficient expenditure of public funds for the provision of urban services into newly annexed areas. The County and each City shall jointly develop and implement development, land division and building standards, and coordinated permit procedures for the review and permitting of new subdivision within Urban Growth Areas.*

Response: As the proposed comprehensive plan amendment site is located within the City, it does not impact City/County efforts to establish joint development standards.

Policy 18: *Consistent with the protection of public health, safety, welfare and the use of natural resources on a long-term sustainable basis, the ability of service capacity to accommodate demands, and the expressed desires of each community, Comprehensive Plans shall jointly and individually support the County and region’s economic prosperity in order to promote employment and economic opportunity for all citizens.*

Response. The proposed comprehensive plan amendment seeks to increase the allowable residential density within a relatively small area. This land is not currently or was not historically used for the harvesting of natural resources or the production of agricultural products. Therefore, the proposal does not impact the protection of public health or the use of natural resources.

Policy 19: *The County and Cities have historically partnered with each other as well as with other organizations to achieve economic development throughout the region. It is the intention of the County and Cities to continue to actively pursue mutually beneficial partnerships that promote growth in all sectors of business and industry, including but not limited to areas of agriculture, agri-business, industrial, commercial, public schools, recreation and tourism. Key strategies will include promoting family wage jobs, increasing business formation, expansion and retention and creating jobs and financial investment to improve the economics of our communities. (Note: specific economic development policies a-g are not reprinted here.)*

Response: The proposed comprehensive plan amendment relates only to residential development and as such would not impact this policy’s promotion of economic growth.

Policy 20: *Capital Improvement Plans and Land Use Plans, shall conduct fiscal analyses which identify and refine the most cost effective use of regional and local public services. (Note: specific policies (a-c) to accomplish this goal have not been reprinted here.)*

Response: The proposed comprehensive plan amendment would have minimal impacts to public services and infrastructure and would not rise to the level of requiring amendments to capital facilities plans.

Policy 21: *Support the development of public schools in areas where utilities are present or can be extended, is financially supportable at urban densities, where the extension of public infrastructure will protect health and safety and the school locations are consistent with the analysis recommended by WAC 365-196-425(3)(b).*

Response: The proposed comprehensive plan amendment site consists of only 10 acres, which is considered too small to support the needs of a new school. Additionally, the new Orchards Elementary School is located one mile from the site.

Policy 22: *The Growth Management Act requires counties planning under the Act to adopt a countywide planning policy in cooperation with the cities located in the county. The countywide planning policy is to be a written policy statement or statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to this (GMA) chapter. The purpose for the Benton County Wide Planning Policies is to meet this requirement of the Act. This document is a tool that will provide the necessary guidance to achieve consistency during the updating of comprehensive plans for the county and the cities.*

Response: The proposed comprehensive plan amendment would not directly impact the County Wide Planning Policies.

Attachment F
Bethel Church Application for Comprehensive Plan Amendment
Consistency with Richland Comprehensive Land Use Plan

The goals and policies of the City's land use plan are reprinted below followed by a brief response describing how the application is consistent with the goals and policies.

LU Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 1: Revitalize areas that are already within the City, especially areas within the Central Business District, such as the Parkway and Uptown, and the Island View areas.

Policy 2: Facilitate planned growth and infill developments within the City.

Response: *The proposed comprehensive plan amendment is located in an area of transition. Planned commercial, multi-family and office uses are generally located to the north and west of the site, while single family residential areas are located to the south. The Bethel Church campus is located to the east. The amendment would provide a higher density residential land use designation in this area of mixed land uses and therefore could be considered infill development. The site would be directly adjacent to a large church campus and bordered by a collector arterial street (Shockley Road) and so would remain compatible with adjacent uses.*

LU Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1: Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.

Policy 2: Ensure that adequate public services are provided in a reasonable time frame for new developments.

Policy 3: Ensure that the intent of the land use and districts are maintained.

Response: *The site is located in an area where the existing utility infrastructure and street network are already in place. Public services are already provided to other properties in the immediate neighborhood presently. The proposed amendment would provide for another type (multi-family) housing that is currently lacking in the South Richland area.*

LU Goal 3: Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 1: Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.

Policy 2: Encourage higher residential densities especially in and near the Central Business District area.

Policy 3: Innovative and non-traditional residential developments can occur through the use of planned unit developments, density bonuses, new types of housing, and multi-use or mixed-use developments.

Response: *The proposed comprehensive plan amendment would provide an area for multi-family residential development in a location that has ready access to a neighborhood collector and an arterial collector in a location that will be close by to commercial development and so is well situated for the proposed use. The amendment would also provide for a type of housing that is not presently available in the immediate area.*

LU Goal 4: Promote commercial and industrial growth that supports the City's economic development goals.

Policy 1: Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services.

Policy 2: Promote developments such as business and research parks, office parks, technology centers, manufacturing and processing facilities, and other types for high- tech uses.

Policy 3: Locate neighborhood-oriented commercial land uses in Neighborhood Retail Business areas.

Policy 4: Encourage the use of buffers or transition zones between non- compatible land uses.

Policy 5: In areas where residential uses are in close proximity to industrial or commercial lands, adequate development standards should be used in industrial or commercial developments to mitigate the impacts on residential uses.

Policy 6: Support industrial developments on lands previously owned by the Department of Energy and transferred to the City and the Port of Benton.

Response: *Since the proposed comprehensive plan amendment only involves residential lands, it does not have a direct impact on this goal relating to commercial/industrial lands. However, by providing additional density in an area that is in close proximity to an area designated for future commercial development, the amendment would provide a source of potential customers for future neighborhood commercial services.*

LU Goal 5: Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1: Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

Policy 2: Promote pedestrian and bicycle circulation throughout the community by connecting with the infrastructure and the City's network of parks and trail system.

Response: *The proposed comprehensive plan amendment site is located in close proximity to lands designated for future commercial use as well as the existing Queensgate Village and the Keene Road trail*

corridor. Increased residential density on the site would provide opportunities for more people to live healthier and more active lifestyles.

LU Goal 6: Develop an attractive and vibrant Central Business District that displays the unique character of Richland.

Policy 1: Revitalize declining commercial areas by promoting clean, safe, and pedestrian- and bicycle-friendly environments.

Policy 2: Designate land use and zoning for higher-density residential uses, mixed-use, and business uses within and adjacent to the Central Business District.

Policy 3: Encourage infill development and redevelopment in the Central Business District. Public Facilities

Response: *The site is not located near the Central Business District, so this goal would not directly apply to this proposal.*

LU Goal 7: Encourage efficient use and location of public facilities such as transit centers, utility facilities, schools, parks, and other public uses.

Policy 1: Locate municipal facilities within their service areas and ensure the grouping of facilities within neighborhoods, whenever feasible.

Policy 2: Ensure that the scale, and location of public facilities are compatible with or buffered from existing and planned surrounding areas.

Policy 3: Wherever possible, the City will locate park and school facilities together for efficient use of public facilities.

Policy 4: Encourage the development of private and public regional sports and recreational facilities of a size and quality to attract significant numbers of users and spectators.

Response: *The site is well situated for multi-family use in terms of its proximity to a transit route (less than a ¼ mile away on Keene Road); schools (Orchard Elementary is approximately one mile to the east of the site); parks (a Neighborhood Park is also located a mile east of the site).*

LU Goal 8: Address unique land use situations in the urban area with policies specific to those situations that ensure compatibility between land uses without infringing on private property rights.

Policy 1: Ensure that lands designated Urban Reserve remain in this holding category to serve future demand for land.

Policy 2: Apply the Agricultural designation in the Yakima River floodplain.

Policy 3: At designated Waterfront land use locations, encourage an active mix of commercial, residential, and marine uses as allowed in the SMP.

Policy 4: Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

Policy 5: Define and identify mineral resource lands located within its boundaries that are not already compromised by on-site, immediate, or adjacent urban growth and that have long-term significance for the extraction of minerals on a commercially-viable basis.

Policy 6: Property and/or mineral rights owners should work with the City and appropriate agencies for protection of these sites. Designate mineral resource lands located in the City of Richland that meet the Criteria for Classification of Mineral Resources (WAC 365-190-070).

Policy 7: Ensure that land uses surrounding the Richland Airport are compatible with existing and future airport operations and do not restrict the airport's ability to maintain or expand its existing and future aviation demands. Coordinate with the Port of Benton to restrict land uses in airport areas that would create conflict or negatively impact the safe and effective airport operations.

Response: *The unique circumstances addressed in these land use policies do not apply to this application, as the site is not used for agricultural production; is not near the waterfront; is without any known historical or archeological significance; is not a mineral resource area; or in close proximity to an airport.*

LU Goal 9: Within Island View, the City will implement a Single Family Overlay land use designation for clusters of property that are currently used as single family residences which have high probability of being redeveloped with non-residential land uses.

Policy 1: The city will use the Single Family Overlay concept only in those instances where the majority of property owners have expressed a preference for its use.

Policy 2: Areas designated as Single Family Overlay will be zoned for single- family residential uses, as identified in the city's R-2 Medium Density Residential zoning district.

Policy 3: Areas designated as Single Family Overlay will remain as such until property owner(s) bring forward a request to remove the overlay and change the zoning to the designation contained in the Island View Subarea Plan. In such cases, an amendment to the comprehensive plan is not necessary.

Policy 4: Applicants bringing forward a request to change the zoning of property designated Single Family Overlay should demonstrate that the land proposed for amendment is: a) large enough to support redevelopment for non-single family residential land uses; and b) will have sufficient access to City streets and utility systems to support redevelopment.

Policy 5: Whenever properties designated with the Single Family Overlay are rezoned for non-single family residential uses in accordance with Policy 4 above, the Single Family Overlay designation should be removed from the subject property.

Response: *The site is not located within the Island View area, so these land use policies do not apply.*

LU Goal 10: Follow controlling law and constitutional requirements, both state and federal, to ensure the appropriate protection of private property rights.

Policy 1: Monitor evolving state and federal statutory amendments and judicial precedent so that timely amendments or changes can be made in the process of implementing the comprehensive plan policies and development regulations.

Policy 2: Process comprehensive plan amendments and development regulations using a fair and open hearing process, with adequate public notice and opportunities to participate to ensure the protection of all due process rights.

Policy 3: Process timely, fair, and predictable processing and review of land use permit applications in conformance with applicable federal and state legal and regulatory requirements.

Response: *The application has been prepared and filed in compliance with City regulations that are in place to facilitate a fair and open hearing process and provide the public with adequate notice.*

Natural Environment NE Goal 1: Promote the protection, conservation, and restoration of natural areas, shorelines, and critical areas as unique assets to the community, and provide public access for enjoyment of such facilities based on the ability of the resource to support the use.

Policy 1: Use the critical areas ordinance, SMP, the state environmental policy act (SEPA), and other ordinances, as applicable, to designate and protect the critical areas and natural environment.

Policy 2: Consider the goals and policies of the SMP as part of this Comprehensive Plan. Encourage development of water-oriented recreational, cultural, and commercial facilities in certain Columbia River locations, consistent with the SMP and its criteria of no net loss of ecological functions, to enhance and diversify Richland's community recreational resources and its attractiveness to tourists.

Policy 3: Ensure public access to shorelines on public land, subject to regulations protecting public safety, sensitive habitat areas, and wildlife.

Policy 4: Encourage the public and/or private acquisition of the prominent ridges in the south Richland area to preserve views, protect shrub- steppe habitat, and to provide public access. Consider the preservation of the ridges and hillside areas through various standards.

Policy 5: Develop an integrated pedestrian trail system to provide access through the City's important natural features, such as prominent ridges and rivershore areas and provide necessary trail linkages between these natural features.

Response: *This application will be reviewed under the provisions of SEPA and an environmental checklist has been submitted to the City. Shoreline policies do not apply to the site based on its location well removed from any rivershore area. The existing irrigation pond that is located on site has been reviewed and determined to not contain any wetland or other critical area.*

Historic and Cultural Resources HP Goal 1: Preserve significant historic structures, districts, and cultural resources that are unique to Richland.

Policy 1: Encourage preservation and promotion of adaptive reuse of historic "Alphabet Homes" of Richland.

Policy 2: Coordinate with local tribes, federal, state and local agencies to protect historic and cultural resources.

Response: *There are no structures on site and no known historic or cultural resources are present.*

UD Goal 1: Create a physically attractive and culturally vibrant, pedestrian- and bicycle-friendly environment in the City.

Policy 1: Establish and enhance the positive attributes of residential, commercial, central business, and other districts with appropriate transition between them.

Policy 2: Encourage redevelopment and upgrade of suitable commercial areas.

Policy 3: Improve streetscape and connectivity for safe and pedestrian-friendly environments.

Policy 4: Promote public arts, museums, and interpretive centers in coordination with public plazas and community spaces that reflect the unique history and culture of Richland.

Response: *The aesthetics, appropriate buffers and transitions, connectivity for bicycle and pedestrian users are all issues that will have to be directly addressed at the time the site is developed; however; it is apparent that the site is well situated to provide connectivity to bicycle and pedestrian systems.*

UD Goal 2: Revitalize commercial areas, such as areas in the Central Business District including the Uptown retail area and the Island View area.

Policy 1: Enhance the appearance, image, and design character of the Central Business District.

Policy 2: Ensure adequate public transit, bicycle, and pedestrian access in the commercial centers along with parking and landscaping.

Policy 3: Enhance the welcoming experience into the community through well- designed gateway features in prominent locations.

Policy 4: Design the public realm, including streetscapes, parks, plazas, and civic amenities for the community to gather and interact.

Policy 5: Provide continuity among adjacent uses by using cohesive landscaping, decorative paving, street furniture, public art, and integrated infrastructure elements.

Response: *The site is located in an area where nearby commercial properties have not yet been developed and so would not be the subject of redevelopment or revitalization efforts.*

UD Goal 3: Development through appropriate design, should protect natural features such as rivers, shorelines, ridgelines, steep slopes, and archaeological and historical resources.

Policy 1: Development should be sensitive to existing topography and landscape, and should minimize environmental impacts.

Policy 2: Hillside development should, as much as practical, blend with the natural shape and texture of the land.

Policy 3: Lighting should be designed so as to promote public safety as well as promote "Dark Sky" principals.

Response: *The issues of design need to be addressed at the time specific development projects are brought forward. Any future development of this site will be subject to the City design regulations and land use policies that are in place at the time the development is proposed.*

UD Goal 4: Promote community beautification by enhancing public spaces and thoroughfares and encouraging private property beautification.

Policy 1: Improve the appearance of all city- owned space and major thoroughfares.

Policy 2: Promote programs to improve landscaping. Encourage xeriscaping and use of native plants.

Policy 3: Promote more attractive signage throughout the City, especially in commercial districts.

Response: *Beautification of the site will need to be addressed through the design process when specific development projects are brought forward for review.*

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements—that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable: **Bethel Church Comprehensive Plan Amendment**
2. Name of applicant: **Bethel Church**
3. Address and phone number of applicant and contact person: **Bethel Church, 600 Shockley Road, Richland, WA 99352 (509)628-0150 – contact Jim Dirks**

4. Date checklist prepared: **February 27, 2019**
5. Agency requesting checklist: **City of Richland Development Services**
6. Proposed timing or schedule (including phasing, if applicable): **Approval of Comprehensive Plan Amendment during the City's 2019 plan review cycle.**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **Yes. Following completion of the comprehensive plan amendment, a rezone of the property would follow and would be expected to be completed in 2020.**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
- a. **2017 Wetland Assessment Report prepared by J-U-B Engineers, Inc.**
- b. **2017 Geotechnical Exploration Summary prepared by GeoProfessional Innovation Corporation**
- Copies of both documents are attached.**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
No.
10. List any government approvals or permits that will be needed for your proposal, if known.
None.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
Amendment to the City of Richland Comprehensive Land Use Map, changing approximately 10 acres from its current Low Density Residential plan designation to a High Density Residential plan designation. A future application to rezone the property from R-1-10 Single Family Residential to R-3 Multi-Family Residential would be filed subsequent to approval of the proposed plan change.
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.
600 Shockley Road. The site consists of two 5 acre parcels that are located along the westernmost portion of the Bethel Church campus, north of and adjacent to Shockley Road. Refer to attached vicinity map.

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)? **15%**

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Warden silt loam, 2 to 5% slope; Warden silt loam 8 to 15% and Warden very fine sandy loam 2 to 8% are present on the site. A more detailed description of subsoil conditions is available in the geotechnical exploration report.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **No.**

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. **Unknown.**

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **Given existing slopes, uncontrolled grading and clearing could result in erosion.**

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **Unknown.**

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: **Future grading of the site would occur in conjunction with the fill and grade standards administered by the City of Richland, which incorporate best management practices. Grading of the site would occur based upon engineered plans reviewed and approved by City of Richland.**

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. **Construction activity would typically generate emissions from construction vehicles. Following completion of construction, residential projects typically be limited to emissions generated by automobiles.**

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **No.**

c. Proposed measures to reduce or control emissions or other impacts to air, if any: **Any project would be subject to the standards and permit requirements administered by the Benton Clean Air Authority.**

3. **Water** [\[help\]](#)

a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. **There is an irrigation pond, maintained by the Kennewick Irrigation District located on the southwest portion of the 10 acre site. The site was evaluated for the presence of wetlands in 2017. The report concluded that no wetlands exist on-site.**
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. **No specific project plans have been developed for the site. Any plans would presumably include development within 200 feet of the irrigation pond.**
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. **Unknown.**
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. **Unknown.**
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. **No.**
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. **No**

b. Ground Water: [\[help\]](#)

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Groundwater would not be withdrawn from a well. Future development would be supported through the City domestic water system and the Kennewick Irrigation District's irrigation water system.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. **Waste materials would not be discharged into septic systems. Future development of the site would be served by the City sewer system.**

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. **Future development of the site would need to incorporate a plans for storm water runoff to be retained on site or diverted into the City storm water system.**
- 2) Could waste materials enter ground or surface waters? If so, generally describe. **Unknown.**
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **No**

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: **Future development of the site would be reviewed by the City of Richland, which administers storm water regulations and potentially by the Department of Ecology which administers state clean water standards and issues storm water permits.**

4. **Plants** [\[help\]](#)

a. Check the types of vegetation found on the site:

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☐ shrubs
- ☐ grass
- ☐ pasture
- ☐ crop or grain
- ☐ Orchards, vineyards or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

Refer to the attached wetland assessment report for a detailed description of the plant species observed on site.

b. What kind and amount of vegetation will be removed or altered? **Unknown; however; with any future residential construction project, it is likely that most if not all existing vegetation would be removed.**

c. List threatened and endangered species known to be on or near the site. **None known.**

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **Unknown. Future residential construction would need to be designed to include landscaping requirements specified in the Richland Municipal Code.**

e. List all noxious weeds and invasive species known to be on or near the site. **None.**

5. **Animals** [\[help\]](#)

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other: small mammals

fish: bass, salmon, trout, herring, shellfish, other none

b. List any threatened and endangered species known to be on or near the site. **None known to exist on site. The Washington State Department of Fish and Wildlife mapping does not identify the site as containing and priority habitats or species.**

c. Is the site part of a migration route? If so, explain. **Yes. All of Richland is part of the Pacific Northwest Flyway.**

d. Proposed measures to preserve or enhance wildlife, if any: **Unknown.**

e. List any invasive animal species known to be on or near the site. **None Known.**

6. **Energy and Natural Resources** [\[help\]](#)

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. **Unknown. Residential development in this area typically relies on electric power and natural gas.**

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. **No. Building height and setback requirements administered by the City would very likely ensure that any development on site would not impact the potential solar use of adjacent properties.**

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: **Unknown; however; any future construction on site would need to comply with Washington State Energy Conservation standards, which are incorporated into the Building Code administered by the City.**

7. Environmental Health [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. **Unknown; however; exposure to toxic chemicals or wastes is not typically encountered in residential construction.**

- 1) Describe any known or possible contamination at the site from present or past uses. **None known.**
- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. **None known.**
- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. **Unknown.**
- 4) Describe special emergency services that might be required. **Unknown.**
- 5) Proposed measures to reduce or control environmental health hazards, if any: **Unknown. Residential construction does not typically require specific environmental health mitigation measures.**

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **Traffic noise generated on the adjacent Shockley Road and noise generated from the adjacent church activities.**
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. **Noise generated from construction equipment and activities and noise typically generated from residential development.**
- 3) Proposed measures to reduce or control noise impacts, if any: **Any construction or other activity occurring on site would need to comply with noise standards administered by the City.**
- 4)

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. **The site contains an irrigation pond. The balance of the property remained undeveloped. Future development of the property could affect the single family properties located immediately to the north and west of the site.**
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? **No.**
- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: **No.**
- c. Describe any structures on the site. **The only improvement on the site is an irrigation pond.**
- d. Will any structures be demolished? If so, what? **No.**
- e. What is the current zoning classification of the site? **R1-12 Single Family Residential**
- f. What is the current comprehensive plan designation of the site? **Low Density Residential**
- g. If applicable, what is the current shoreline master program designation of the site? **Not Applicable.**
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. **No.**
- i. Approximately how many people would reside or work in the completed project? **Unknown.**
- j. Approximately how many people would the completed project displace? **None.**
- k. Proposed measures to avoid or reduce displacement impacts, if any: **No displacement impacts are anticipated.**

L. Proposed measures to ensure the proposal is compatible with existing and projected land

uses and plans, if any: **None are proposed.**

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: **None.**

9. *Housing* [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. **Unknown. Given the desired zoning of the site (R-3) and the net acreage of the site (approximately 8 acres considering the area taken up by the irrigation pond) the maximum number of units by type that could be placed on site is estimated to be:**

Detached single family units = 69

Attached single family units = 92

Duplex units = 78

Whether the units built would be high, medium or low income is unknown; however; given the relatively high real estate values of the site and surrounding properties, low income residences would be very unlikely.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. **None.**
- c. Proposed measures to reduce or control housing impacts, if any: **Setbacks, building height limitations, landscaping and buffer requirements as established in the Richland Municipal Code for R-3 Residential development.**

10. *Aesthetics* [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? **Unknown; however; the maximum building height in the R-3 zoning district would be 40 feet.**

- b. What views in the immediate vicinity would be altered or obstructed? **Unknown.**

- b. Proposed measures to reduce or control aesthetic impacts, if any: **None.**

11. *Light and Glare* [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **The most likely source of glare would be from street lights or other outdoor lighting needed to support residential development.**

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Unknown.

- c. What existing off-site sources of light or glare may affect your proposal? **None.**
- d. Proposed measures to reduce or control light and glare impacts, if any: **Future residential development of the site would need to conform to City standards for outdoor lighting.**

12. Recreation [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity? **On the adjacent Bethel Church campus there is a gymnasium and outdoor fields that are used for youth soccer. A City park is located within approximately one mile of the site. The Keene Road trail is located approximately ¼ mile north of the site.**
- b. Would the proposed project displace any existing recreational uses? If so, describe. **No.**
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: **Future residential development of the site would need to pay park mitigation fees to offset the impacts of additional residential development on the City park system.**

13. Historic and cultural preservation [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe. **No.**
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. **No known historic or archeological features on site. No professional studies have been undertaken.**
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. **None to date.**
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. **Measures to avoid, minimize or mitigate for loss of resources would best be determined at the time specific development plans are brought forward.**

14. *Transportation* [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. **The site lies adjacent to Shockley Road. Access into the interior of the site will be determined at the time specific development plans are brought forward.**
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? **The site is less than a ¼ mile to Keene Road, which is on a transit route.**
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? **The number of off-street parking spaces to be provided will be determined at the time specific development plans for the site are brought forward. There are presently no parking spaces on site.**
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). **It is anticipated that the future development of the site could be adequately served without construction of new public street segments; however, this determination would be made at the time that development plans are brought forward for review.**
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. **No.**
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? **The number of vehicle trips is unknown at this time and will depend upon the specific development plans brought forward at some future point.**
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. **No.**
- h. Proposed measures to reduce or control transportation impacts, if any: **Any development proposal that generates traffic will be required to pay traffic mitigation fees to the City. Additionally, City standards require the improvement of adjacent public rights-of-way at the time of development.**

15. Public Services [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.
Residential development of the site would place additional demands on public services.
- b. Proposed measures to reduce or control direct impacts on public services, if any. **Specific mitigation measures will be determined at the time specific development plans are brought forward for review by the City. Standard mitigation measures typically include the placement of fire hydrants on or near the site and/or the installation of fire sprinkler systems within residential buildings.**

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____
- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.
Utility providers include City of Richland for power, water, sewer, and refuse service; Cascade Natural Gas for natural gas; Kennewick Irrigation District for irrigation water. Specific improvements to utility systems on site or in the vicinity of the site would be determined when specific plans for development are brought forward.

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signer _____

Position and Agency/Organization _____

Date Submitted: _____

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Residential development is not likely to produce discharges to water or involve storage or release of toxic substances. Emissions to air would likely be limited to creation of dust during construction and noise created would be typical of noises associated with residential development.

Proposed measures to avoid or reduce such increases are:

Development of the property would be subject to clean air rules administered by the Benton Clean Air Authority and noise standards administered by the City of Richland.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Development of the property would likely result in the removal of most if not all of the existing vegetation and habitat on site.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The existing land use designation allows for low density residential development on site, a land use that would also result in the removal of vegetation and habitat. An increase in the allowable density on site would not likely increase impacts to plants and animals.

3. How would the proposal be likely to deplete energy or natural resources?

Any development of the site would result in the use of energy and natural resources.

Proposed measures to protect or conserve energy and natural resources are:

Future development of the property follow the requirements of the Washington State Energy Conservation Standards.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks,

wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? **There are no known environmentally sensitive areas on site or any natural conservation areas, parks or other government properties located in the immediate vicinity of the site. There are also no known threatened or endangered species, archeological or historic resources, wetlands, floodplains or farmland on site.**

Proposed measures to protect such resources or to avoid or reduce impacts are:
None are necessary.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? **The proposal would have no impact on shorelines. It would result in higher density residential development permitted on the site, in an area where there are nearby properties designated for commercial and high density residential uses.**

Proposed measures to avoid or reduce shoreline and land use impacts are:
The Richland zoning code contains some mitigation measures requiring setbacks, building height limitations, shielding of outdoor lighting and landscaping that would help to reduce impacts on adjacent properties. Specific mitigation measures would be identified when a specific plan for development is brought forward.

6. How would the proposal be likely to increase demands on transportation or public services and utilities? **Higher density residential development would increase traffic on public streets and demands for public services and utility use.**

Proposed measures to reduce or respond to such demand(s) are: **Development of the property would be subject to payment of traffic and park mitigation fees. Street and utility infrastructure extensions and/or improvements would be determined at the time specific development plans are brought forward to ensure that adequate service levels would be maintained.**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. **None known.**

Wetlands Assessment Report

Shockley Rd

Wetlands Assessment Report

(Pertaining to Benton County Parcels # 122983000006003 and
122983000006002)

[Located in the SW ¼ of Section 22, Township 9 North, Range 28 East]



October 2017

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Appendices

- Attachment 1 - Aerial Property Exhibit
- Attachment 2 - Vicinity Map
- Attachment 3 - Photo Inventory
- Attachment 4 - National Wetland Inventory (NWI) Map
- Attachment 5 - Department of Natural Resources (DNR) Water Typing Map
- Attachment 6 - United States Department of Agriculture (USDA) Soil Survey Maps
- Attachment 7 - Badger Mountain USGS Quad Map

Introduction

This wetlands assessment report was authorized by the Richland School District, in order to properly define any wetland areas contained within Benton County Parcels # 122983000006003 and 122983000006002. The School District is looking into potentially purchasing these parcels to contain a future administration building. The Aerial Property Exhibit (Attachment 1) illustrates the approximate extents of the aforementioned parcels, which front Shockley Road. The two defined subject parcels encompass approximately 10 acres. The subject parcels are located within the southwest ¼ of Section 22, Township 9 North, Range 28 East, in Benton County, Washington (see Vicinity Map, Attachment 2). A Kennewick Irrigation District (KID) pond [#159] is located within the southwest corner of the western most subject parcel (see Photo Inventory, Attachment 3, specifically photo #1). This wetlands assessment was performed to determine the presence or absence of wetland areas and any associated buffer areas within the defined subject parcels. This assessment was conducted in accordance with the Richland Municipal Code (RMC) Title 22.10 with respect to defining any wetland areas and associated buffer areas contained within the subject parcels.

Methods

The subject property was walked and assessed on September 28, 2017, by Vincent Barthels, Biologist for J-U-B ENGINEERS, Inc. and a Qualified Wetland Specialist. A general site assessment was conducted, and photographs were taken to document the dominant plant communities and habitat present (see Attachment 3, Photo Inventory). The U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI), Department of Natural Resources (DNR) Water Typing Map, and U.S. Department of Agriculture (USDA)/Natural Resource Conservation Service (NRCS) Soil maps were referenced in order to identify any mapped waterway/aquatic systems within or adjacent to the subject parcels (see Attachments 4 through 6). No professional surveying services or geo-technical/subsurface explorations were provided by J-U-B ENGINEERS, Inc.

Discussion

Topography

The subject parcels consist of land that gently slopes approximately 2 to 15% toward a central crease. The elevation at the subject property is approximately 575 feet above sea level, plus or minus 20 feet (NGVD 29) [see Badger Mountain USGS Quad Map, Attachment 7].

Climate

The climate data used for this report was collected from the Richland, WA WETS weather station. Based on the climate data collected, the area has an average annual temperature of 53.6 degrees Fahrenheit. The average annual rainfall is 6.53 inches, and the average annual snowfall is 6.7 inches.

Plant Communities

Plant communities in the vicinity of the subject parcels primarily consist of assorted herbaceous plants and a couple shrubs/trees. The following table lists the wetland indicator status of the vegetative species that were encountered within the subject parcels (Lichvar 2016).

Table 1. Plant Species observed in proximity of the subject parcels.

Common Name	Scientific Name	Wetland Indicator Status
Bermuda grass	<i>Cynodon dactylon</i>	FACU
Cheat grass	<i>Bromus tectorum</i>	UPL
Creeping thistle	<i>Cirsium arvense</i>	FAC
Field mint	<i>Mentha arvensis</i>	FAC
Hard stem bulrush	<i>Scirpus acutus</i>	FACW
Horseweed	<i>Conyza canadensis</i>	FACU
Kochia	<i>Bassia scoparia</i>	FAC
Prickly lettuce	<i>Lactuca serriola</i>	FACU
Ragweed	<i>Ambrosia trifida</i>	FAC
Russian olive	<i>Elaeagnus angustifolia</i>	FAC
Russian thistle	<i>Salsola kali</i>	FACU
Siberian elm	<i>Ulmus pumila</i>	UPL
Skeleton weed	<i>Lygodesmia juncea</i>	UPL
Spotted knapweed	<i>Centaurea stoebe</i>	UPL
Stork's bill	<i>Erodium cicutarium</i>	UPL
Tall sagebrush	<i>Artemisia tridentata</i>	FACU
Virginia creeper	<i>Parthenocissus quinquefolia</i>	UPL
Witch grass	<i>Panicum capillare</i>	FAC

Hydrology

The western parcel (i.e. # 122983000006002) contains a constructed KID irrigation pond #159. No other aquatic features, wetlands, canal, or streams were observed.

Soils

Three different soil types make up the composition of the mapped soils within the two parcels. Approximately half of the soil in the subject parcels is Warden silt loam, 2 to 5 percent slopes (50.5%). The remaining soil composition is Warden silt loam, 8 to 15 percent slopes (45.9%) and Warden very fine sandy loam, 2 to 8 percent slopes, eroded (3.6%). The hydric rating for each soil type is 0 percent (see Attachment 6).

NWI Map and Wetland Classifications

No wetland features or other aquatic features are identified to be contained within the subject parcels on the NWI Map or the DNR Water Type Map (see Attachments 4 and 5). On the DNR Water Type Map, the nearest waterbody exists to the south of the subject parcels and is classified as "U" channel, which correlates to the Badger East Canal (a KID operated irrigation canal).

Findings

The KID pond coupled with the dense stands of Russian olive trees and the slight central depression (or crease) located west to east on the subject parcels are the contributing factors that triggered this wetland assessment. Per the site walk and a closer observation of the plant community present and topographic relief, it was determined that the subject parcels do not contain any wetland features. Moreover, the KID pond does not meet the definition of a wetland feature in accordance with RMC Title 22.10. The KID pond is a developed and established irrigation feature. Other than the hard stem bulrush that lines the outer limits of the KID pond, the vegetation assemblages contained within the subject parcels can be characterized as a FAC to FACU community. A high percentage of the vegetation assemblages observed were non-native, invasive, weedy species. The habitat within the subject parcels is considered to be highly disturbed. Irrigation practices associated with the Bethel Church (toward the east), a horse pasture (toward the west) and residential developments (toward the north) help to contribute lateral seepage and run-off (from higher adjacent elevations) to the subject parcels, which aids in the survival of the vegetation assemblages observed.

Conclusion

This wetland assessment was conducted to assist the Richland School District with the potential future site development plans contained on the subject parcels. The subject parcels do not contain any wetland features. It should be noted, however, that final authority with regard to the identification and categorization of the wetland area rests with the appropriate regulatory agencies.

Respectfully submitted by:



10/6/17

Vincent J. Barthels, Biologist
J-U-B ENGINEERS, Inc.

References

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Geotechnical Exploration Summary

Bethel Church Property
Shockley Road
Richland School District
Richland, Washington

PREPARED FOR:

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November 28, 2017

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Geotechnical Exploration Summary

Bethel Church Property
Shockley Road
Richland School District
Richland, Washington

INTRODUCTION

Our evaluation's purpose is to assess the site's subsurface conditions and prepare this report outlining preliminary geotechnical considerations to aid the Richland School District (RSD) with planning and establishing project design concepts for an Administrative Complex. This complex has long been sought by the RSD to consolidate and upgrade RSD administrative operations. The project area is shown on the attached Plate 1, *Exploration Map*. We performed our services referencing our proposal, dated September 20, 2017. The following text describes our project understanding, scope of services, as well as presents our exploration findings and test results.

SCOPE OF SERVICE

To initiate our geotechnical engineering evaluation with exploration and this preliminary summary, we accomplished the following:

1. Coordinated exploration with the Washington Utility Notification Center and RSD before performing exploration.
2. Explored the subsurface soil conditions via 6 soil borings and 8 exploratory test pits distributed at select locations across the site. Approximate exploration locations are shown on Plate 1.
3. Performed 2 field infiltration tests to evaluate the near surface soils' infiltration characteristics.
4. Installed 3 piezometers between 25 and 30 feet below the surface in the anticipated building areas.
5. Accomplished laboratory testing referencing *ASTM International* (ASTM) procedures to estimate soil engineering parameters.
6. Prepared and provided this geotechnical deliverable, summarizing our findings and preliminary opinions, including exploration logs and laboratory test results. Based on this data and the project concept, we provide preliminary geotechnical opinions to assist project concept development, including but not limited to:
 - α Potential geologic hazards
 - α Earthwork construction considerations
 - α Applicable foundation and construction considerations
 - α Site drainage and stormwater management considerations
 - α Development concepts and construction considerations
 - α Additional recommended services

We remain available to advance final design and consult with your team as necessary during planning and schematic design processes.

PROJECT UNDERSTANDING

Existing Conditions

RSD is in the process of purchasing an approximate 10-acre parcel (Parcel #s: 122983000006002 & 122983000006003) adjacent to Shockley Road in Richland, Washington. The parcel is being purchased

from the Bethel Church. This site is presumed undeveloped and contains moderate to significant vegetation and a pond. The pond appears to have been constructed between 1996 and 2003 based on a review of Google Earth aerial photograph and is believed to be associated with irrigation. Some grading occurred around 2009 near the site's center/east side when an adjacent structure on the Bethel Church property was constructed.

The site slopes north to south towards Shockley Road with about 10 to 15 feet of elevation change overall. A dry drainage channel exists on the southern third of the property, north of the irrigation pond. The extent water traverses through this drainage seasonally or during significant rain events is unknown. Some yard waste and organic debris has been wasted in this area.

Proposed Improvements

RSD desires to construct their administrative offices, maintenance facilities, and consolidate its various functions on this single site. Design has not advanced for specific structures or their location on the property. Further, grading plans are not established. It appears extensive cutting and filling (estimated 40,000 cubic yards) will be required to facilitate a relatively level site. Some grading concepts may require substantial import materials to achieve design grades. We expect development plans may ultimately include, but are certainly not limited to:

- α Single to 2-story structures comprised of wood or metal frames with masonry veneer, conventional foundations, and concrete slabs-on-grade.
- α Limited, if any, below grade useable space.
- α Maintenance facilities with floor drains and possibly hoists or lifts with below grade hydraulics.
- α Asphalt pavement to provide access and support for buses, landscape equipment, and passenger vehicles.
- α Storage areas for school materials.
- α Utilities will extend from Shockley Road and stormwater will be disposed via infiltration facilities (i.e. swales or drywells).
- α Stormwater across the property will need to be addressed and rerouted to avoid the potential for impounding water on adjacent properties.

FIELD EXPLORATION

GPI accomplished exploration on November 8 and 9, 2017, by observing 6 exploratory soil borings extending between 11 and 35 feet deep, throughout the site but with deeper borings positioned along the northern half where buildings are expected. Soil borings were accomplished with a track-mounted CME 850 drill equipped with hollow stem augers and standard penetration test (SPT) sampling equipment. During exploration, our geotechnical engineer visually classified, described, and logged the soil encountered the *Unified Soil Classification System* (USCS). We collected select in-place soil samples from various depths and locations for subsequent laboratory testing.

While on site, we performed infiltration testing in borings B-1 and B-2 and installed piezometers in borings B-3, B-4, and B-5. Infiltration testing was accomplished referencing the Boring Method outlined in Appendix 6B of the *Washington State Department of Ecology* (Ecology) Stormwater Management Manual for Eastern Washington. Piezometers each received 10 feet of screen and sand pack at the base with the balance of the piezometer established with solid pipe, bentonite plug, and a flush mount surface casing.

Piezometers will be monitored occasionally while the property is being evaluated. The balance of borings were loosely backfilled with site soil and a bentonite cap immediately following exploration.

Test pits were advanced with a Deere 35D, mini-excavator. Test pits advanced 8 to 11 feet below the surface while our geoprofessional logged and visually described the soil encountered. Select samples were collected during excavation for subsequent laboratory testing. Test pits were loosely backfilled with excavated soil.

The USCS is presented in *Appendix A* along with exploration logs and should be used to interpret the soil conditions in this report and on the individual exploration logs.

LABORATORY TESTING

We performed laboratory testing in reference to ASTM standards on select soil samples obtained during exploration. Laboratory testing included:

- α In-situ moisture content and unit weight (ASTM D 2216)
- α Atterberg limits (ASTM D 4318)
- α Grain size distribution for coarse grained soil (ASTM D 422)
- α Moisture density relationship- Proctor (ASTM D1557)
- α California Bearing Ratio (ASTM D3080)
- α pH resistivity and sulfates (ASTM G 51, G 57, D 516)

Laboratory test results are provided in Appendix B, and on the exploratory logs in Appendix A.

SUBSURFACE CONDITIONS

We encountered topsoil containing some to significant vegetation and organics extending 6 to 12 inches in the locations explored. Beneath topsoil we encountered the following soil units.

- α **Uncontrolled Fill: Mixed Silt and Sand (ML/SM):** grey brown, loose to medium dense, dry to moist. We encountered apparent fill near the east-central area of the site in test pits TP-2, 3 and 7. The approximate area where fill was encountered is delineated on Plate 1. Where encountered, fill wxtending between 3 and 6 feet below the surface. Significant debris or deleterious materials were not observed within the fill. From a review of aerial photographs, it appears these fill deposits coincide with a grading event potentially associated with the construction of a structure on the adjacent Bethel church property.
- α **Alluvium: Silt with Fine Sand (ML):** greyish brown, loose to medium dense, and dry to moist. We encountered alluvium in each exploration beneath fill or topsoil extending 5 to 13 feet below the surface. A layer of silt was also encountered in B-4 below Silty Sand (see below) about 30 feet below the surface. This low unit weight silt exhibits a high consolidation potential, though consolidation tests did not delineate a significant collapse potential.
- α **Alluvium: Silty Fine Sand (SM):** brown, medium dense to dense, and moist. We encountered this unit below silt in each exploration, generally extending to the termination depths excluding B-4. In B-4, the silty fine sand contained trace amounts of medium gravel about 26 feet below the surface before grading back to silt with fine sand at the termination depths.

We did not encounter bedrock or groundwater within our exploration locations at the time of exploration, but installed piezometers in borings B-3, B-4, and B-5 between 25 and 30 feet below the surface to help document future groundwater conditions. Since exploration, our monitoring detected groundwater at B-3 at 22.7 feet below the surface; the other 2 remain dry. To obtain additional subsurface information, we researched well logs within the project site vicinity published on the *Washington State Department of Ecology* (Ecology) website. These logs indicate basalt bedrock in the area may be located 50 to 100 feet below the existing ground surface, with consistent, static groundwater levels from 30 feet and deeper. However, localized perched groundwater tables may be encountered depending on variations in precipitation, irrigation, and infiltration characteristics over time and may be encountered at shallower or deeper depths.

PRELIMINARY GEOTECHNICAL CONSIDERATIONS

Potential Geologic Hazards

The following text presents our evaluation of potential geologic hazards for consideration by RSD as the project concept is refined. This summary is not exhaustive, but rather presents some common geologic hazards which should be considered by RSD and Design West Architects, project architect, based on our site exploration, mapping research, and preliminary project understanding. The items discussed below can provide RSD with a reasonable basis for progressing project design concepts.

Uncontrolled Fill

Uncontrolled fill was encountered near the east-central portion of the site extending 3 to 6 feet below the surface. The fill material is consistent with soil in the area, and barring other sources of the fill origin, we attribute the fill to grading on an adjacent Bethel Church project. Our estimate of the lateral fill extents based on test pit exploration and aerial photograph interpretation is outlined on Plate 1. Where fill is encountered, uncontrolled fill must be removed from beneath planned structures or improvements consistent with geotechnical practice standards.

Depending on how structures are sited on the property, we do not expect uncontrolled fill will have significant impacts to this project. Pending site grading concepts, it is conceivable that fill will be removed as part of achieving site grades. However, project grading concepts must be developed to remove fill below any building or parking area.

Slope Instability Potential

Although the existing ground surface slopes from north to south, the slope is gentle and the elevation difference is slight. During exploration, we traversed the site and observed no evidence of large or small-scale, current or prehistoric landslides. Therefore, our opinion is slope instability potential at this site will be directly related to site grading and drainage design, earthwork construction quality and ongoing constructed slope maintenance procedures. Finished or permanent slopes in native soil can typically remain stable with respect to deep-seated global failure at slope inclinations up to 2.5H:1V when the soil remains in a dry condition. However, 2.5H:1V slopes are typically prone to shallow erosional and surface failures during wet seasons, especially given the silt observed near the surface. Therefore, we recommend civil grading design utilize 3H:1V slopes.

Site Grading & Drainage

We presume site grading for this project will cut soil from the north and place it in lower areas on the south side of the project site; providing a gentle approach to Shockley Road. The process of placing and compacting fill in the low areas of the site will theoretically impede a natural drainage that traverses from northwest to southeast across the property. The adjacent Bethel Church property likely advanced some minor grading that flattened their site for a playfield and subtly filled in the shallow drainage. It is likely this drainage seldom carries any significant water. However, impeding the drainage would, in our opinion, create a geologic hazard off the property for adjacent land owners. The drainage exists because water occasionally, maybe even rarely flows through it. Should water be impounded once the drainage is blocked, it will be a hazard and a liability to RSD.

If site grading is advanced as envisioned, it would be wise to facilitate a culvert that conveys overland flow from west to east across the property. Further, we suspect the existing drainage acts as a pseudo infiltration gallery wherein most overland flow infiltrates into the subsurface naturally with limited surface flow. Thus, a subsurface drainage gallery could be constructed that provides infiltration and conveyance simultaneously. Either approach may require an easement with the Bethel Church for any water conveyed towards their property. A conceptual alignment of such a culvert or stormwater infiltration gallery is outlined on the attached site map (Plate 1) for civil design's consideration.

Cut and Fill Transitions

We expect the catch point between cut and fill will be near the site's center. If grading design can facilitate placing buildings entirely on cut soil, we expect they will perform better as it relates to differential settlement. Where structures span dissimilar materials (i.e. cuts into native soil vs. fill embankments) they have a higher propensity for realizing settlement at the transition between varying materials. Pending final structure position, building loads, the depths of cuts and fills and other criteria, foundations may require improvements to facilitate acceptable performance. We will evaluate these requirements once final site layout is complete.

Site Seismicity and Liquefaction Potential

Significant seismic activity has not been recorded in the area in geologically recent time. The presence of faults, fault rupture, or other such features were not observed via our field reconnaissance. Our geologic research of available *United States Geologic Survey* (USGS) data suggests at least 2 historically active faults are located within 5 miles from the project site. Engineering fault parameters from the USGS are provided in Table 1 below.

Table 1. Nearest Fault Parameters, Bethel Church Site (USGS 2008)

Fault	Characteristic Earthquake Magnitude	Recurrence Interval (years)
Horse Heaven Hills Structure	6.5 to 7.44	390-50,000
Wallula/Rattlesnake Hills Structure	6.5 to 7.14	250-12,500

Reference: <http://earthquakes.usgs.gov/hazards/qfaults>

Given the extremely low recurrence interval for seismic activity along these nearby faults, our opinion is probable seismic activity within the design period (approximately 2,475 years) prescribed by the 2015 *International Building Code* (IBC) will primarily be associated with regional background seismicity.

Subsurface conditions encountered during our exploration consist of silt and fine sand soil. We did not encounter basalt bedrock or groundwater in our explorations to about 30 feet below the site. Seismically induced settlement (i.e., due to soil densification from seismic vibration) could be realized on the order of 2 to 3.5 inches during a significant earthquake. For liquefaction to occur, soil profile must be saturated, the potential for such a seismic event to occur during the project's useful life, without groundwater near the surface, is relatively low. With the information we have presently, we estimate that an IBC Site Class D is appropriate.

Earthwork Construction Considerations

We expect earthwork for this project will be typical, without the need for special techniques or equipment. Earthwork construction should initiate by stripping an average of 0.7 feet of topsoil containing vegetation and organics. Depending on site layout, 3 to about 6 feet of uncontrolled fill will need removed near the site's east-central portion. Site stripping outside the fill area will expose native soil and the topsoil may be stockpiled for reuse or disposed offsite. After topsoil and fill (if necessary) stripping, the resulting subgrade comprising native alluvial silt with fine sand can be used to support typical site infrastructure or other developments pending final site civil design and loading conditions. We anticipate site soil may be reused as structural fill for site grading applications, but will require significant moisture conditioning to compact effectively and economically during good weather. The site soil is expected to realize significant shrinkage when excavated and recompacted as structural fill; potentially 24 to 30 percent. The soil will bulk when excavated and wasted between 16 and 22 percent.

Imported structural fill products will also be required for project construction. We recommend imported fill products reference *Washington State Department of Transportation (WSDOT) Standards for Road Bridge and Municipal Construction (Standards) for Select Borrow, Common Borrow, Crushed Surfacing*, or other products as needed.

Foundation and Development Considerations

For final design, important criteria such as the building's frame, number of stories, loading, foundation bearing elevations and other factors are necessary to help develop final geotechnical recommendations. The preliminary information below is based on speculative foundation loading conditions and provides only preliminary shallow foundation design and construction considerations for RSD and the design team. We do not recommend this data be relied upon for final foundation design or construction.

Founding as many of the buildings as possible on cut soil will improve the structure's performance and more efficient foundation design criteria can be provided. Conventional spread and continuous foundations appear appropriate based on what we anticipate from the planned development.

Preliminary Shallow Foundation Design Criteria

We expect allowable bearing pressures ranging from 1,500 to 3,000 pounds per square foot (psf) will be appropriate for shallow spread footing design. Granular soil improvements may be required if the structure spans cut and fill soil profiles. Conventional foundation systems should conform to the following design criteria and the current IBC addition:

1. Frost protection embedment depth: 24 inches below finished exterior surface
2. Estimated vertical settlement tolerances (to be verified by structural design):
 - a. Total settlement: 1-inch
 - b. Differential settlement: 0.75 inches in 30-foot, horizontal span
 - c. The site soil is low density and consolidation tests outline it is prone to large settlement at relatively light structural loads.
3. Lateral load resistance:
 - a. Foundation base friction coefficient 0.30 for foundations cast on native soil
 - b. Lateral passive resistance is available on foundation sides ranging from 200 to 350 pounds per cubic foot (pcf) equivalent fluid pressure (EFP), depending on backfill used and where/if $\frac{3}{4}$ inches of lateral movement can be tolerated.
4. Soil Corrosivity
 - a. Laboratory test results indicate the site soil exhibits a moderate to high corrosive environment:
 - i. pH = 8.1
 - ii. Resistivity = 909 ohms-cm
 - iii. Sulfates = 72 parts per million
 - b. Structural designers shall account for moderate corrosion potential in reinforcing steel spacing and clearances.
 - c. Soil is not expected to induce negative reactions with concrete. Concrete mix designs should demonstrate that aggregate does not have the potential for alkali-silica reactivity.
5. Site Class - 2015 IBC Section 1613
 - a. Based on our field exploration and current knowledge of the upper 100 feet of the soil profile, a Site Class D is appropriate for preliminary structural frame seismic design. A site-specific study of seismic response was not performed.

Surface Grading & Drainage

Site grading design should be accomplished such that runoff from precipitation, snowmelt, seeps, or springs is not allowed to infiltrate slopes, below foundations, pavement, and slab subgrades. Runoff or water migrating along the ground surface must be conveyed away from slopes and structures by an appropriately designed series of ditches, culverts, swales, or other surface water management procedures. This is especially important given the silt and fine sand is highly frost susceptible. This means that the presence of water in the soil can induce significant frost action (heave and contraction) during freeze-thaw cycles. As development plans advance, we recommend consideration to excavating the soil at entrances (entryways, maintenance doors, etc.) to the frost depth and replace it with non-frost-susceptible soil. This process should extend laterally at the exterior at least 5 feet.

Slope the ground surface outside structures to meet *Americans with Disabilities Act* (ADA) requirements at entrances and at least 5 percent away for a minimum of 10 feet in other areas to rapidly convey surface water or roof runoff away from foundations. Remaining landscapes should slope at least 2 percent away from structures. Provide roof gutters connected to downspouts, connect them to solid pipes placed away from the structure, and do not allow to infiltrate into the soil underlying the structure.

Wall and Foundation Drainage

Design and construct buildings with adequate drainage systems to reduce the potential for surface water to infiltrate beneath the structure and cause instability, leakage, or seepage. This is typically accomplished by installing a perimeter foundation drain system surrounding the building. Foundation drains should be installed with positive drainage and dispose of collected water in suitable locations at least 50 feet from structures. Historically, foundation drains have been deleted by RSD as part of final design. For buildings situated on the northern portion of the site, such deletion is a reasonable exchange of water intrusion risks for project cost savings. However, structures positioned within proximity of the existing drainage that may be filled, should consider the risks of eliminating foundation drainage.

At this time, we do not expect below-grade structures or retaining walls for this project. Thus, we do not elaborate on the specifications for below-grade wall drain systems.

Stormwater Management Considerations

Stormwater management concepts are not yet established for the project, but as is common in the area, will likely be managed via near surface infiltration swales with drywell overflows and possibly subsurface infiltration galleries. We recommend these facilities be established along the site's east and south sides. Design stormwater management facilities in accordance with Ecology's *Eastern Regional Stormwater Management Manual* (Stormwater Manual) and the City of Richland requirements.

The soil profile encountered in explorations was classified under the USCS as silt and fine sand. Infiltration tests in B-1 and B-2 during exploration yielded unfactored infiltration rates between 9 and 14 inches per hour. These are relatively good infiltration rates for soil of this type, although can be impacted at different times during the year depending on saturated and frozen conditions. Further, stormwater facility construction practices can impact the site soil's ability to infiltrate water. Thus, civil design should consider applying prescriptive safety factors between 4 and 6 to the measured infiltration rate based on infiltration facility configuration and the designer's experience with stormwater disposal in the region. It should be noted, that a highly permeable soil unit that may be desirable to establish drywell overflow disposal was not encountered. We recommend additional infiltration tests be advanced during the next round of exploration, ideally in specific anticipated stormwater disposal locations.

ADDITIONAL RECOMMENDED SERVICES

Final Geotechnical Design

This evaluation was performed to provide RSD with preliminary geotechnical site characteristics to assist project concept development. This deliverable does not constitute a final geotechnical engineering evaluation specific to earthwork, foundation design or construction, or any other site feature. Once these and other critical project design concepts are established, GPI will provide additional geotechnical engineering evaluation specific to actual design concepts. At this time, we expect the exploration and laboratory testing accomplished is adequate to advance final design.

Geotechnical Design Continuity

We base this report's information on our exploration results and observations, as well as preliminary site improvement concepts provided to us by RSD. Significant design concepts are yet to be established. The site layout, building configuration, final floor elevations, loading conditions, and many other aspects can significantly alter our opinions and design recommendations. This may be particularly important to help

the project team evaluate the existing drainage and ramifications to filling it as well as positioning buildings on the site to avoid cut and fill transitions. Therefore, it is critical that GPI provide geotechnical continuity for final planning and design for the planned construction as individual aspects become available during design development phases.

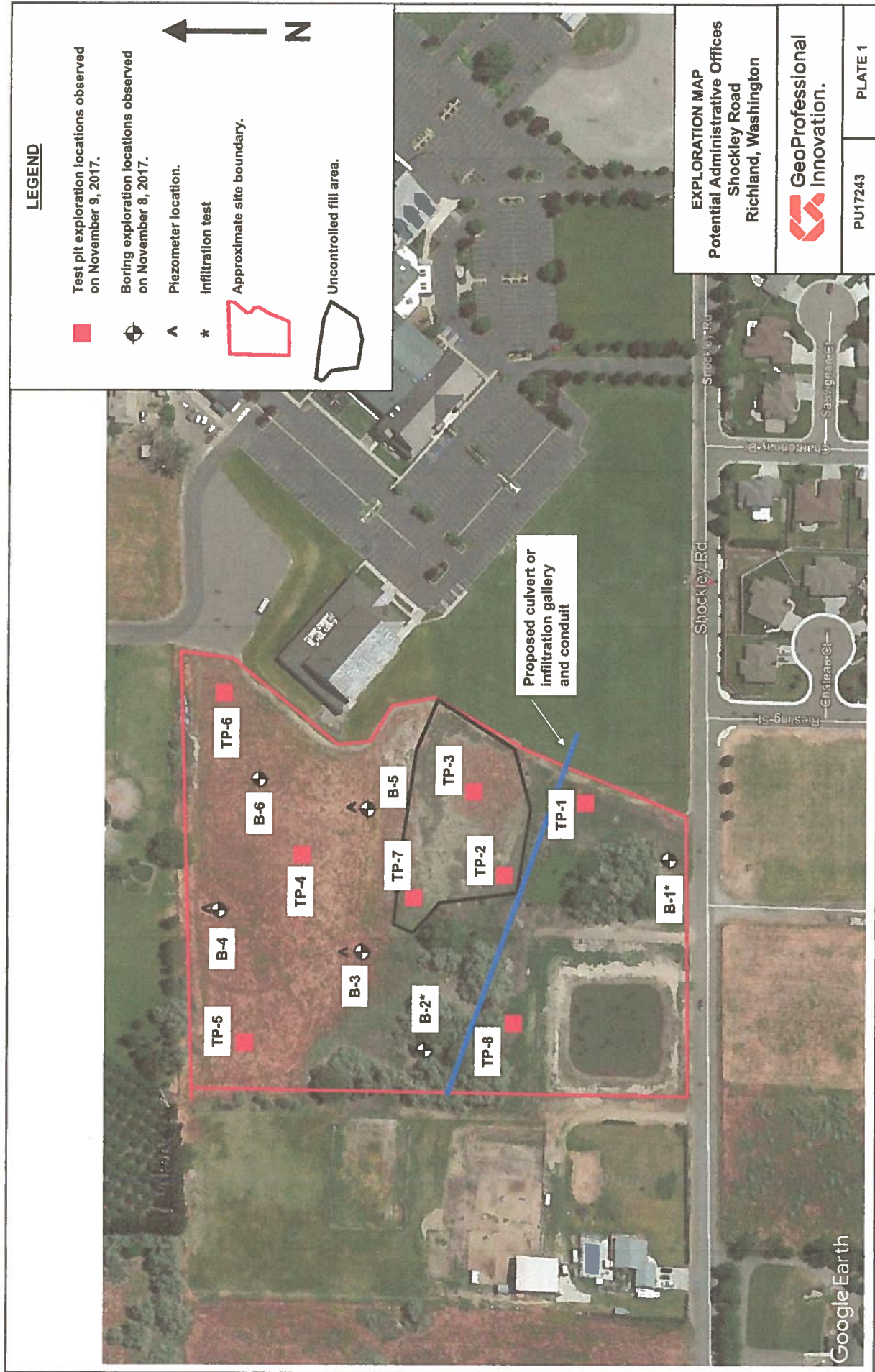
Our experience with similar projects suggests providing geotechnical continuity throughout design and construction is critical to project success. Often, precluding geotechnical involvement throughout the design process creates lost opportunities for efficiency between design iterations, project specifications, and plan drawing development.

EVALUATION LIMITATIONS

We provide the preliminary geotechnical considerations in this report to assist RSD with considering potential site development and design concepts. This information and the services we provided to date do not comprise a final geotechnical engineering evaluation for site or subgrade performance as it pertains to any future development or construction. Rather, we provide these considerations based on exploration advanced to date, experience with similar RSD developments, and typical earthwork standards of care that exist in the area at this time. Project design and construction professionals must apply appropriate judgment to the exploration findings presented herein to facilitate prudent design concept development. This acknowledgment is in lieu of any express or implied warranties.

The following accompany this report:

- Plate 1: Exploration Map
- Appendix A: Unified Soil Classification System (USCS) and Exploratory Boring Logs
- Appendix B: Laboratory Test Results



Reference: Google Earth Aerial Imagery, June 30, 2015. Not to scale.

UNIFIED SOIL CLASSIFICATION SYSTEM

MAJOR DIVISIONS			GRAPHIC SYMBOL	GROUP SYMBOL	TYPICAL NAMES
COARSE GRAINED SOIL	GRAVEL	CLEAN GRAVEL		GW	WELL-GRADED GRAVEL, GRAVEL-SAND MIXTURES.
				GP	POORLY-GRADED GRAVEL, GRAVEL-SAND MIXTURES.
		GRAVEL WITH FINES		GM	SILTY GRAVEL, GRAVEL-SAND-SILT MIXTURES.
				GC	CLAYEY GRAVEL, GRAVEL-SAND-CLAY MIXTURES.
	SAND	CLEAN SAND		SW	WELL-GRADED SAND, GRAVELLY SAND.
				SP	POORLY-GRADED SAND, GRAVELLY SAND.
		SAND WITH FINES		SM	SILTY SAND, SAND-SILT MIXTURES.
FINE GRAINED SOIL	SILT AND CLAY LIQUID LIMIT LESS THAN 50%			SC	CLAYEY SAND, SAND-CLAY MIXTURES.
				ML	INORGANIC SILT, SANDY OR CLAYEY SILT.
				CL	INORGANIC CLAY OF LOW TO MEDIUM PLASTICITY, SANDY OR SILTY CLAY.
				CL-ML	INORGANIC MIXED CLAY AND SILT.
	SILT AND CLAY LIQUID LIMIT GREATER THAN 50%			OL	ORGANIC SILT AND CLAY OF LOW PLASTICITY.
				MH	INORGANIC SILT, MICA-CEOUS SILT, PLASTIC SILT.
				CH	INORGANIC CLAY OF HIGH PLASTICITY, FAT CLAY.
				OH	ORGANIC CLAY OF MEDIUM TO HIGH PLASTICITY.
				PT	PEAT, MUCK AND OTHER HIGHLY ORGANIC SOILS.

BORING LOG SYMBOLS

STANDARD 2 INCH OD
SPLIT SPOON SAMPLE



CALIFORNIA MODIFIED 3 INCH
OD SPLIT SPOON SAMPLE



ROCK CORE



SHELBY TUBE 3 INCH OD
UNDISTURBED SAMPLE



TEST PIT LOG SYMBOLS

GRAB BAG SAMPLE

BG

BULK SAMPLE

BK

RING SAMPLE

RG

GROUNDWATER SYMBOLS

GROUND WATER AFTER 24
HOURS



GROUND WATER AT TIME OF
DRILLING



GROUND WATER AT THE END OF
DRILLING

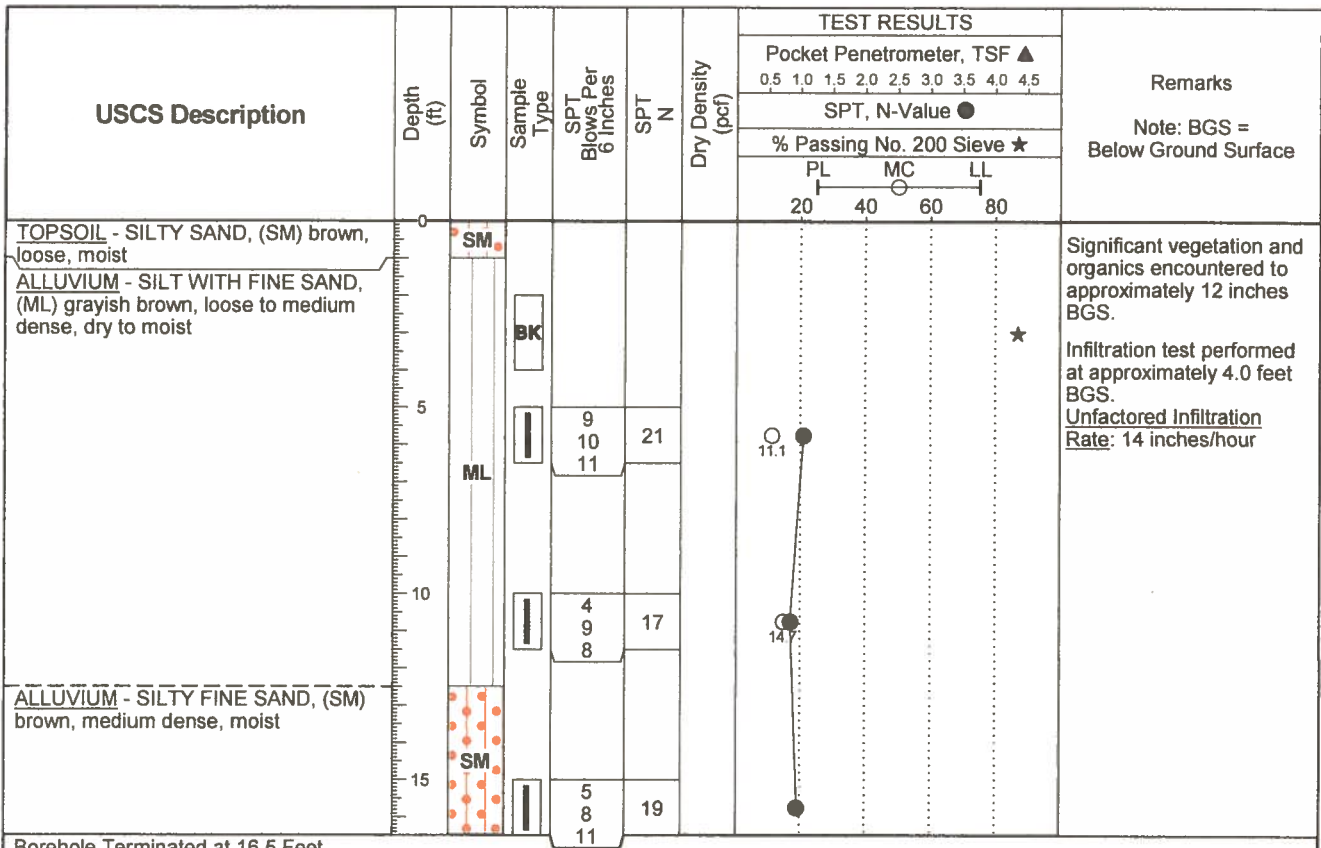


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GPI BORING - STRATA.GDT - 11/27/17 14:21 - \\STRPULS1\\MAIN\\ENGINEERING\\GINT FILES\\PU17243 BETHEL LOGS.GPJ

USCS Description	Depth (ft)	Symbol	Sample Type	SPT Blows Per 6 inches	SPT N	Dry Density (pcf)	TEST RESULTS				Remarks	
							Pocket Penetrometer, TSF ▲					
							0.5 1.0 1.5 2.0 2.5 3.0 3.5 4.0 4.5					
							SPT, N-Value ●					
							% Passing No. 200 Sieve ★					
							PL	MC	LL			
							20	40	60	80		
TOPSOIL - SILTY SAND, (SM) brown, loose, moist	0	SM										Significant vegetation and organics encountered to approximately 12 inches BGS. Infiltration test performed at approximately 4.0 feet BGS. <u>Unfactored Infiltration</u> <u>Rate: 9 inches/hour</u>
ALLUVIUM - SILT WITH FINE SAND, (ML) grayish brown, loose, dry to moist	5	ML	BK	3 3 4	7						★	
ALLUVIUM - SILTY FINE SAND, (SM) brown, medium dense, moist	10	SM		2 5 6	11							
Borehole Terminated at 11.5 Feet.												Boring backfilled and plugged with bentonite.

Client: Richland School District	Boring Number: B-1		EXPLORATORY BORING LOG
Project: PU17243	Date Drilled: 11-08-2017		
Drill Rig: CME-850	Borehole Diameter: 8"		
Depth to Groundwater: N.E.	Logged By: TJW		
			Sheet 1 Of 1

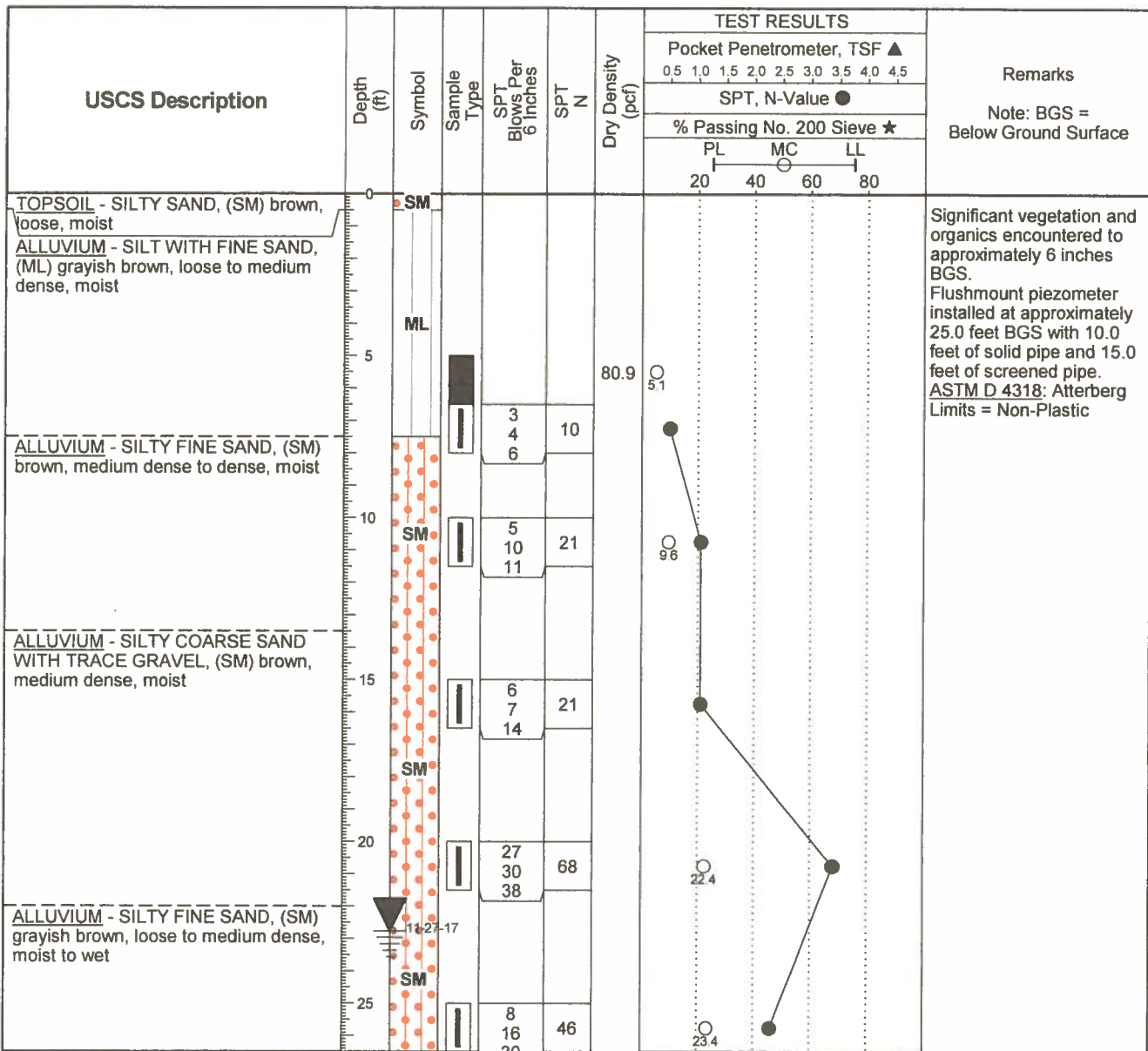


Borehole Terminated at 16.5 Feet.

Boring backfilled and plugged with bentonite.

Client: Richland School District	Boring Number: B-2		EXPLORATORY BORING LOG
Project: PU17243	Date Drilled: 11-08-2017		
Drill Rig: CME-850	Borehole Diameter: 8"		
Depth to Groundwater: N.E.	Logged By: TJW		
			Sheet 1 Of 1

GPI BORING - STRATA.GDT - 11/27/17 14:21 - \\STRPULS1\\MAIN\\ENGINEERING\\GINT FILES\\PU17243 BETHEL LOGS.GPJ



Borehole Terminated at 26.5 Feet.

Boring backfilled and plugged with bentonite.

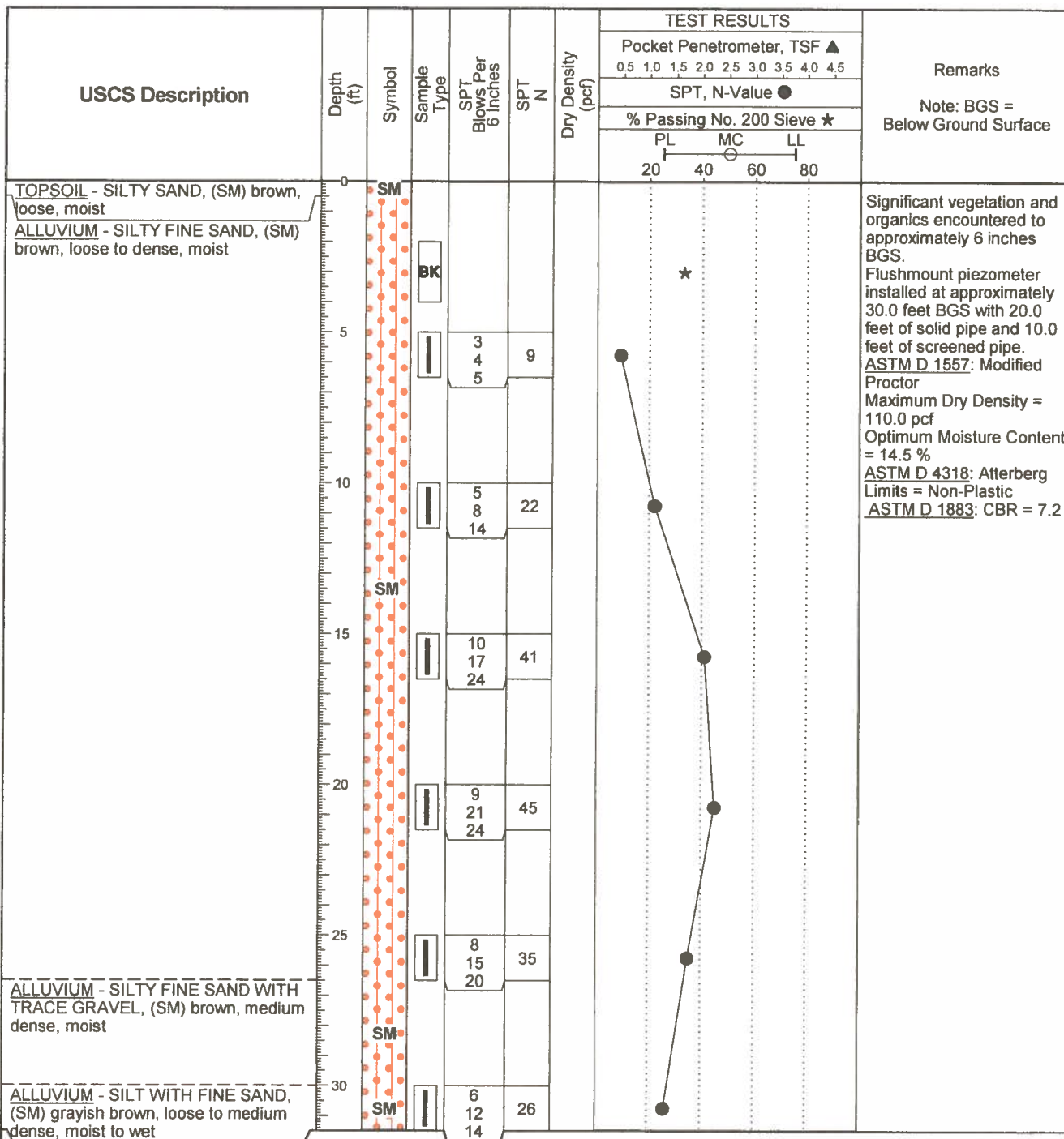
Client: Richland School District	Boring Number: B-3
Project: PU17243	Date Drilled: 11-08-2017
Drill Rig: CME-850	Borehole Diameter: 8"
Depth to Groundwater: N.E.	Logged By: TJW



EXPLORATORY BORING LOG

Sheet 1 Of 1

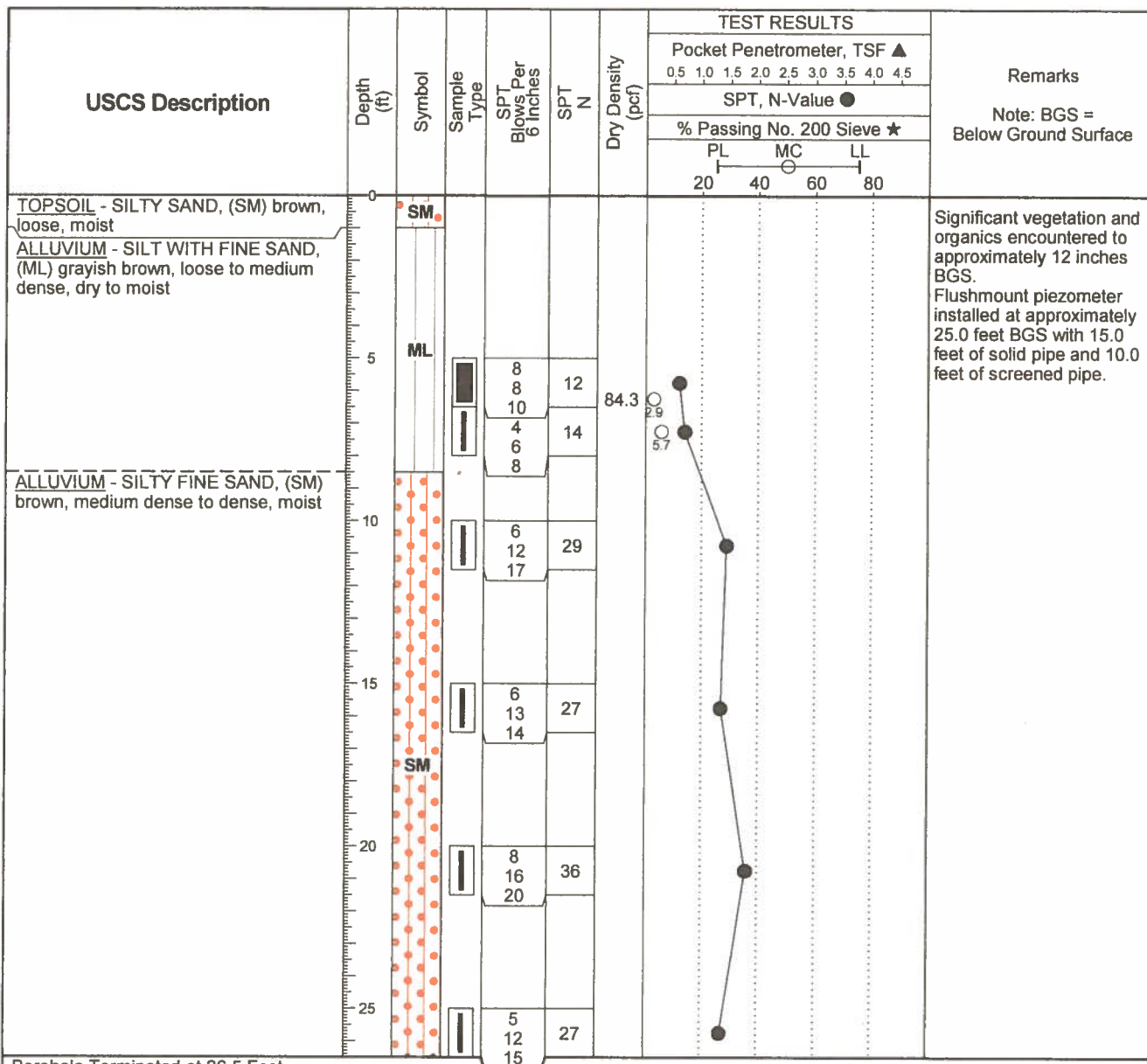
GPI BORING - STRATA.GDT - 11/27/17 14:21 - \\STRPULS1\MAIN\ENGINEERING\GINT FILES\PU17243 BETHEL LOGS.GPJ



Borehole Terminated at 31.5 Feet. Boring backfilled and plugged with bentonite.

Client: Richland School District	Boring Number: B-4		EXPLORATORY BORING LOG
Project: PU17243	Date Drilled: 11-08-2017		
Drill Rig: CME-850	Borehole Diameter: 8"		
Depth to Groundwater: N.E.	Logged By: TJW		
			Sheet 1 Of 1

GPI BORING - STRATA.GDT - 11/27/17 14:21 - \\STRPULS1\\MAIN\\ENGINEERING\\GINT FILES\\PU17243 BETHEL LOGS GPJ



Borehole Terminated at 26.5 Feet.

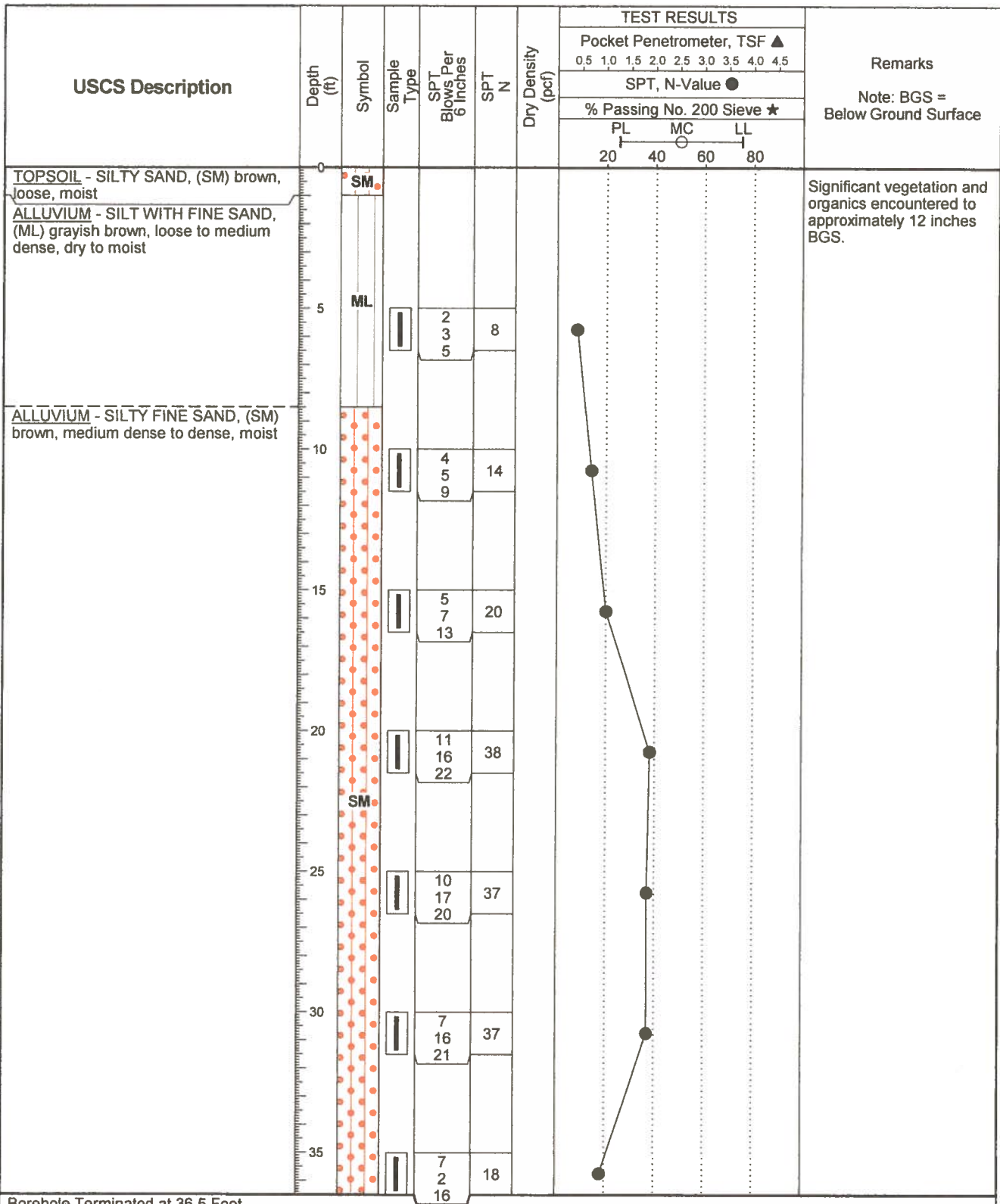
Boring backfilled and plugged with bentonite.

Client: Richland School District	Boring Number: B-5
Project: PU17243	Date Drilled: 11-08-2017
Drill Rig: CME-850	Borehole Diameter: 8"
Depth to Groundwater: N.E.	Logged By: TJW



EXPLORATORY BORING LOG

GPI BORING - STRATA.GDT - 11/27/17 14:21 - \\STRPULS1\MAIN\ENGINEERING\GINT FILES\PU17243 BETHEL LOGS.GPJ



Borehole Terminated at 36.5 Feet.

Boring backfilled and plugged with bentonite.

Client: Richland School District	Boring Number: B-6
Project: PU17243	Date Drilled: 11-08-2017
Drill Rig: CME-850	Borehole Diameter: 8"
Depth to Groundwater: N.E.	Logged By: TJW



EXPLORATORY BORING LOG

Sheet 1 Of 1

GPI TEST PIT - STRATA.GDT - 11/27/17 11:30 - \\STRPULS1\MAIN\ENGINEERING\GINT FILES\PU17243 BETHEL LOGS.GPJ

USCS Description	Depth (ft)	U.S.C.S. Class	Symbol	Sample Type	% Passing No. 200 Sieve	Dry Density (pcf)	Moisture Content (%)	Pocket Pen. (tsf)	Atterberg Limits	Remarks
									LL PI	Note: BGS = Below Ground Surface
TOPSOIL - SILTY SAND, (SM) brown, loose, moist	0	SM								Significant vegetation and organics encountered to approximately 12 inches BGS.
ALLUVIUM - SILT WITH FINE SAND, (ML) grayish brown, loose to medium dense, dry	5	ML								
ALLUVIUM - SILTY FINE SAND, (SM) brown, medium dense, moist		SM								
Test Pit Terminated at 9.5 Feet.										Test pit loosely backfilled with site soil.
Client: Richland School District		Test Pit Number: TP-1					EXPLORATORY TEST PIT LOG			
Project: PU17243		Date Excavated: 11-09-2017								
Backhoe: DEERE 35D		Bucket Width: 24"								
Depth to Groundwater: N.E.		Logged By: TJW								
									Sheet 1 Of 1	

GPI TEST PIT - STRATA.GDT - 11/27/17 11:30 - \\STRPULS1\MAIN\ENGINEERING\GINT FILES\PU17243 BETHEL LOGS.GPJ

USCS Description	Depth (ft)	U.S.C.S. Class	Symbol	Sample Type	% Passing No. 200 Sieve	Dry Density (pcf)	Moisture Content (%)	Pocket Pen. (tsf)	Atterberg Limits	Remarks
									LL PI	Note: BGS = Below Ground Surface
TOPSOIL - SILTY SAND, (SM) brown, loose, moist	0	SM								Significant vegetation and organics encountered to approximately 6 inches BGS.
UNCONTROLLED FILL - MIXED SILT AND SAND, (ML-SM) gray brown, loose to medium dense, dry to moist		ML-SM								
ALLUVIUM - SILTY FINE SAND, (SM) brown, medium dense, moist	5	SM								
Test Pit Terminated at 9.0 Feet.										Test pit loosely backfilled with site soil.
Client: Richland School District		Test Pit Number: TP-2					EXPLORATORY TEST PIT LOG			
Project: PU17243		Date Excavated: 11-09-2017								
Backhoe: DEERE 35D		Bucket Width: 24"								
Depth to Groundwater: N.E.		Logged By: TJW								
										Sheet 1 Of 1

GP1 TEST PIT - STRATA.GDT - 11/27/17 11:30 - \\STRPULS1\\MAIN\\ENGINEERING\\GINT FILES\\PU17243 BETHEL LOGS.GPJ

USCS Description	Depth (ft)	U.S.C.S. Class	Symbol	Sample Type	% Passing No. 200 Sieve	Dry Density (pcf)	Moisture Content (%)	Pocket Pen. (tsf)	Atterberg Limits	Remarks
									LL PI	Note: BGS = Below Ground Surface
TOPSOIL - SILTY SAND, (SM) brown, loose, moist	0	SM								Moderate vegetation and organics encountered to approximately 6 inches BGS.
UNCONTROLLED FILL - MIXED SILT AND SAND, (ML-SM) gray brown, loose to medium dense, dry to moist	5	ML-SM								
ALLUVIUM - SILTY FINE SAND, (SM) brown, medium dense, moist	10	SM								
Test Pit Terminated at 10.0 Feet.										Test pit loosely backfilled with site soil.

Client: Richland School District	Test Pit Number: TP-3		EXPLORATORY TEST PIT LOG
Project: PU17243	Date Excavated: 11-09-2017		
Backhoe: DEERE 35D	Bucket Width: 24"		
Depth to Groundwater: N.E.	Logged By: TJW		
			Sheet 1 Of 1

GPI TEST PIT - STRATA.GDT - 11/27/17 11:30 - \\STRPULS1\\MAIN\\ENGINEERING\\GINT FILES\\PU17243 BETHEL LOGS.GPJ

USCS Description	Depth (ft)	U.S.C.S. Class	Symbol	Sample Type	% Passing No. 200 Sieve	Dry Density (pcf)	Moisture Content (%)	Pocket Pen. (tsf)	Atterberg Limits	Remarks
TOPSOIL - SILTY SAND, (SM) brown, loose, moist	0	SM							LL - PI	Note: BGS = Below Ground Surface
ALLUVIUM - SILT WITH FINE SAND, (SM) grayish brown, medium dense, dry to moist	5	SM								Moderate vegetation and organics encountered to approximately 6 inches BGS.
Test Pit Terminated at 10.5 Feet.										Test pit loosely backfilled with site soil.
Client: Richland School District Project: PU17243 Backhoe: DEERE 35D Depth to Groundwater: N.E. Test Pit Number: TP-4 Date Excavated: 11-09-2017 Bucket Width: 24" Logged By: TJW  EXPLORATORY TEST PIT LOG Sheet 1 Of 1										

USCS Description	Depth (ft)	U.S.C.S. Class	Symbol	Sample Type	% Passing No. 200 Sieve	Dry Density (pcf)	Moisture Content (%)	Pocket Pen. (tsf)	Atterberg Limits LL PI	Remarks Note: BGS = Below Ground Surface
TOPSOIL - SILTY SAND, (SM) brown, loose, moist	0	SM								Moderate vegetation and organics encountered to approximately 6 inches BGS. <u>Cond. Meter, ASA:</u> Resistivity = 909 ohms-cm <u>Electrode, ASA 12-2.6:</u> pH = 8.1 <u>IC: Sulfate = 72 ppm</u>
ALLUVIUM - SILT WITH FINE SAND, (ML) grayish brown, medium dense, dry		ML								
ALLUVIUM - SILTY FINE SAND, (SM) brown, medium dense, moist	5	SM		BK	29.0		38.0			
Test Pit Terminated at 9.0 Feet.										Test pit loosely backfilled with site soil.

Client: Richland School District	Test Pit Number: TP-5	 GeoProfessional Innovation.	EXPLORATORY TEST PIT LOG
Project: PU17243	Date Excavated: 11-09-2017		
Backhoe: DEERE 35D	Bucket Width: 24"		
Depth to Groundwater: N.E.	Logged By: TJW		
			Sheet 1 Of 1

GPI TEST PIT - STRATA.GDT - 11/27/17 11:30 - \\STRPULS1\\MAIN\\ENGINEERING\\GINT FILES\\PU17243 BETHEL LOGS.GPJ

USCS Description	Depth (ft)	U.S.C.S. Class	Symbol	Sample Type	% Passing No. 200 Sieve	Dry Density (pcf)	Moisture Content (%)	Pocket Pen. (tsf)	Atterberg Limits	Remarks
TOPSOIL - SILTY SAND, (SM) brown, loose, moist ALLUVIUM - SILT WITH FINE SAND, (ML) grayish brown, medium dense, dry to moist	0 5 10	SM ML	 	 	 	 	 	 	LL PI	Note: BGS = Below Ground Surface Moderate vegetation and organics encountered to approximately 6 inches BGS.

Test Pit Terminated at 10.5 Feet.

Test pit loosely backfilled with site soil.

Client: Richland School District	Test Pit Number: TP-6
Project: PU17243	Date Excavated: 11-09-2017
Backhoe: DEERE 35D	Bucket Width: 24"
Depth to Groundwater: N.E.	Logged By: TJW



EXPLORATORY TEST PIT LOG

GPI TEST PIT - STRATA.GDT - 11/27/17 11:30 - \\STRPULS1\MAIN\ENGINEERING\GINT FILES\PU17243 BETHEL LOGS.GPJ

USCS Description	Depth (ft)	U.S.C.S. Class	Symbol	Sample Type	% Passing No. 200 Sieve	Dry Density (pcf)	Moisture Content (%)	Pocket Pen. (tsf)	Atterberg Limits	Remarks
									LL PI	Note: BGS = Below Ground Surface
TOPSOIL - SILTY SAND, (SM) brown, loose, moist	0	SM								Moderate vegetation and organics encountered to approximately 6 inches BGS.
UNCONTROLLED FILL - MIXED SILT AND SAND, (ML-SM) gray brown, loose to medium dense, dry to moist		ML-SM								
ALLUVIUM - SILT WITH FINE SAND, (ML) grayish brown, loose to medium dense, dry to moist	5	ML								
ALLUVIUM - SILTY FINE SAND, (SM) brown, medium dense, moist		SM								
Test Pit Terminated at 9.5 Feet.										Test pit loosely backfilled with site soil.

Client: Richland School District	Test Pit Number: TP-7		EXPLORATORY TEST PIT LOG
Project: PU17243	Date Excavated: 11-09-2017		
Backhoe: DEERE 35D	Bucket Width: 24"		
Depth to Groundwater: N.E.	Logged By: TJW		
			Sheet 1 Of 1

USCS Description	Depth (ft)	U.S.C.S. Class	Symbol	Sample Type	% Passing No. 200 Sieve	Dry Density (pcf)	Moisture Content (%)	Pocket Pen. (tsf)	Atterberg Limits	Remarks
										Note: BGS = Below Ground Surface
TOPSOIL - SILTY SAND, (SM) brown, loose, moist	0	SM							LL PI	Trace vegetation and organics encountered to approximately 6 inches BGS.
ALLUVIUM - SILT WITH FINE SAND, (ML) grayish brown, medium dense, dry to moist		ML								
ALLUVIUM - SILTY FINE SAND, (SM) brown, medium dense, moist	5	SM								
Test Pit Terminated at 8.0 Feet.										Test pit loosely backfilled with site soil.

Client: Richland School District	Test Pit Number: TP-8		EXPLORATORY TEST PIT LOG
Project: PU17243	Date Excavated: 11-09-2017		
Backhoe: DEERE 35D	Bucket Width: 24"		
Depth to Groundwater: N.E.	Logged By: TJW		
			Sheet 1 Of 1

Project No.: PU17243A
 Project Name: Bethel Church Property
 Client: Richland School District

Report Date: 11/27/2017

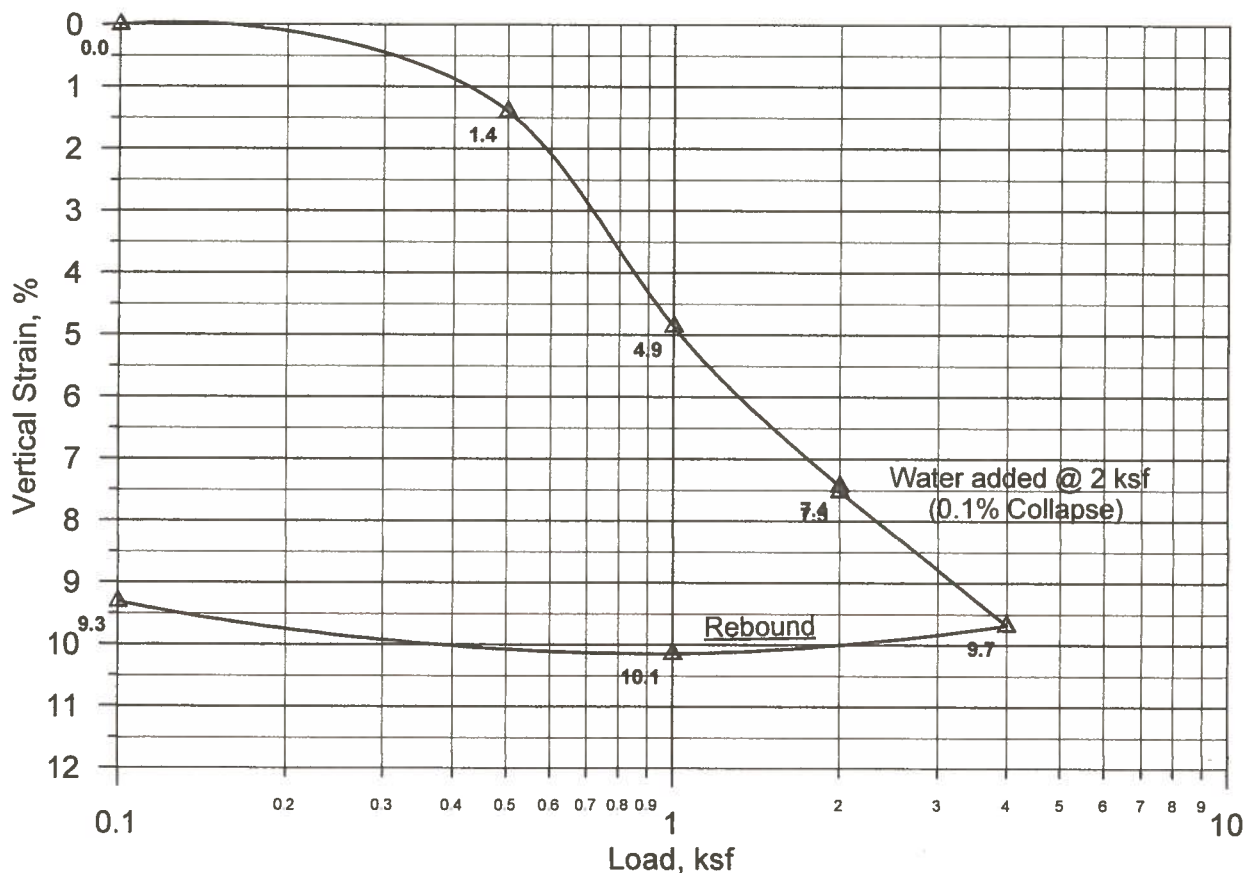
Test Results Summary													
Test Pit (TP) Boring (B)	Depth (feet)	Lab Number	Description (U.S.C.S. Classification)	In situ Moisture, %	In situ Density, pcf	Max Dry Density, pcf	Optimum Moisture, %	Atterberg Limits	#200 Sieve Passing, %	CBR	Resistivity Ohms-cm	pH	Sulfate ppm
B-1	2.0-4.0	PUL17-0332A	Silt with Fine Sand (ML)	-	-	-	-	-	83	-	-	-	-
B-2	2.0-4.0	PUL17-0333B	Silt with Fine Sand (ML)	-	-	-	-	-	87	-	-	-	-
B-2	5.0-6.5	PUL17-0332E	Silt with Fine Sand (ML)	11.1	-	-	-	-	-	-	-	-	-
B-2	10.0-11.5	PUL17-0332H	Silt with Fine Sand (ML)	14.7	-	-	-	-	-	-	-	-	-
B-3	5.0-6.0	PUL17-0334	Silt with Fine Sand (ML)	5.1	80.9	-	-	Non-plastic	-	-	-	-	-
B-3	10.0-11.5	PUL17-0332F	Silty Fine Sand (SM)	9.6	-	-	-	-	-	-	-	-	-
B-3	20.0-21.5	PUL17-0332G	Silty Coarse Sand with Trace Gravel (SM)	22.4	-	-	-	-	-	-	-	-	-
B-3	25.0-26.5	PUL17-0332J	Silty Fine Sand (SM)	23.4	-	-	-	-	-	-	-	-	-
B-4	2.0-4.0	PUL17-0332B	Silty Fine Sand (SM)	-	-	110.0	14.5	Non-plastic	33	7.2	-	-	-
B-5	5.5-6.0	PUL17-0332C	Silt with Fine Sand (ML)	2.9	84.3	-	-	-	-	-	-	-	-
B-5	6.5-8.0	PUL17-0332I	Silt with Fine Sand (ML)	5.7	-	-	-	-	-	-	-	-	-
TP-5	2.0-4.0	PUL17-0332D	Silty Fine Sand (SM)	-	-	-	-	-	29	-	909	8.1	72

Reviewed by: 

CONSOLIDATION TEST RESULTS

ASTM D 2435 (Method A)

Project: Bethel Church Property
Client: Richland School District
File Name: PU17243A
Lab Number: PUL17-0334
Sample Identification: B-3 @ 5.0-6.0 Feet BGS
Sample Classification: Silt with Fine Sand (ML)
Sample: In-Situ Tube (Condition: Good)
Date Tested: 11/13/17 By: JBM
Sample Dry Unit Weight: 80.9 pcf
In-Situ Moisture Content: 5.1%
Atterberg Limits: Non-plastic



Reviewed By: _____



GeoProfessional
Innovation.

CALIFORNIA BEARING RATIO ASTM D 1883

Project: Bethel Church Property
Client: Richland School District
Sample Identification: B-4 @ 2.0-4.0 feet BGS
Sample Classification: Silty Fine Sand (SM)

Project Number: PU17243A
Lab Number: PUL17-0332B
Date Tested: 11/19/17 By: MCM

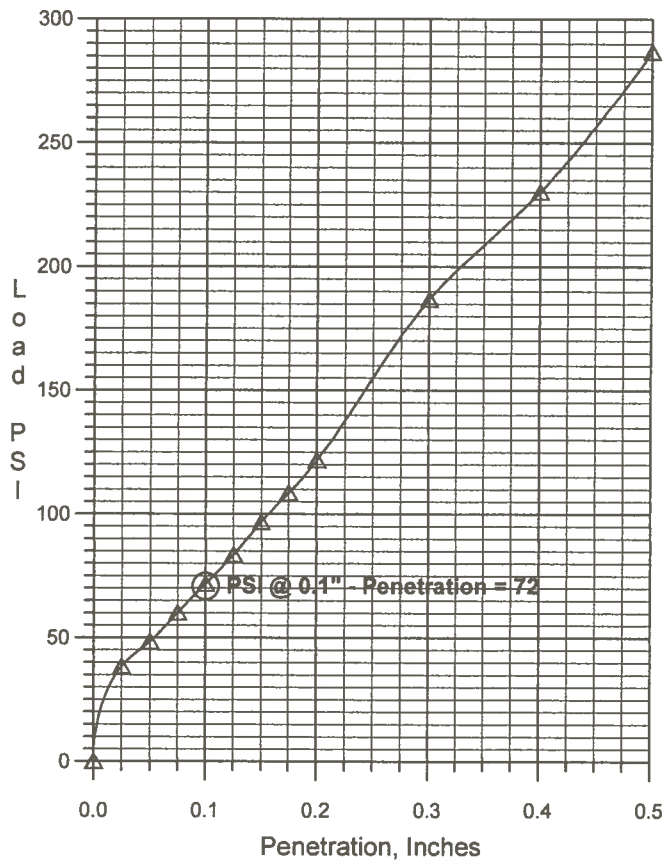
SOIL CONSTANTS

CBR = 7.2
Fines Classification: ML
Test Dry Density = 99.0 pcf
Test Specimen Remolded @ 14.7% Moisture
Remold Percentage of Proctor = 90%
Test Performed @ 21.9% Moisture (Top 1")
Percent Collapse = 0.4
Soak Time = 100 hrs
Surcharge = 50 psf

GRADING ANALYSIS

SCREEN SIZE	% PASSING
No. 200.....	33

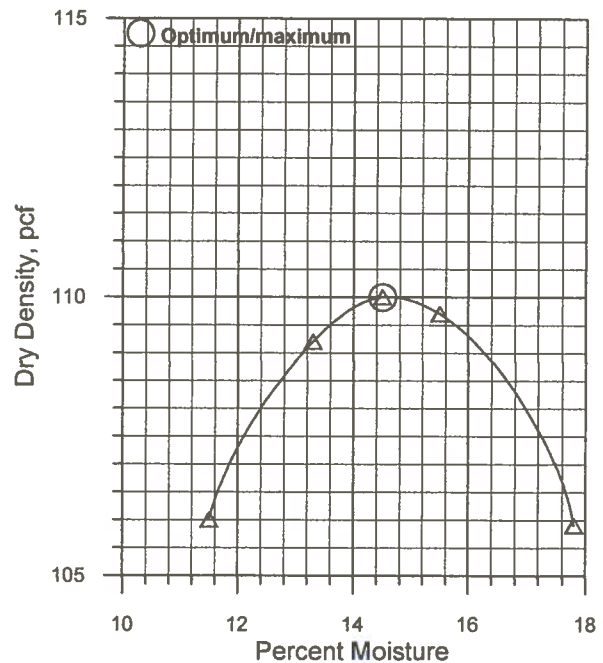
CBR CURVE



MOISTURE-DENSITY CURVE

ASTM D-1557 Method A

Maximum Dry Density, pcf: 110.0
Optimum Moisture Content, %: 14.5

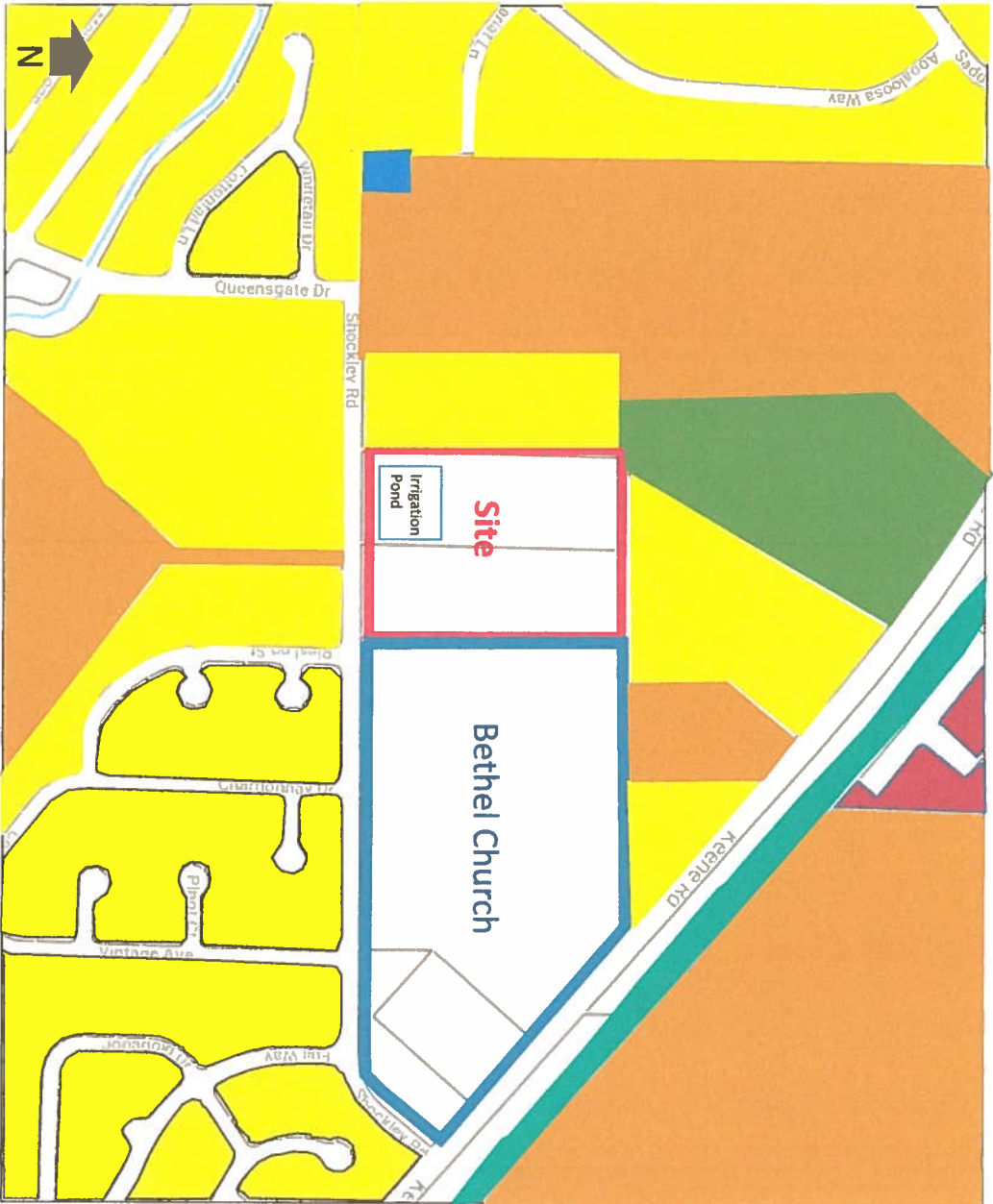


Reviewed by: 



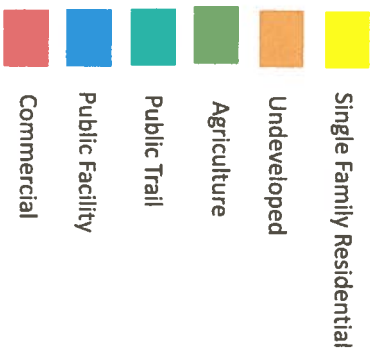
ATTACHMENT J

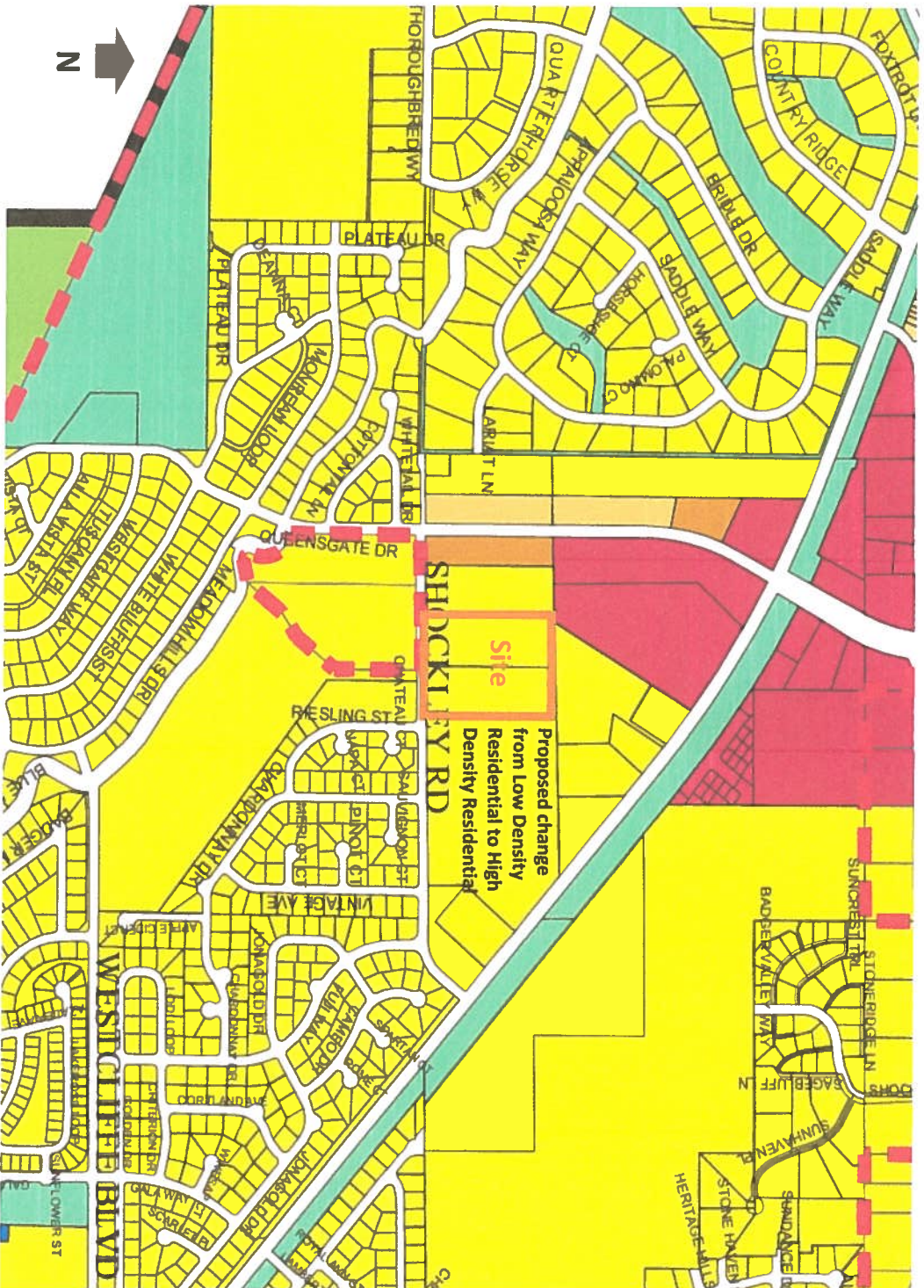
VICINITY MAP



ATTACHMENT K

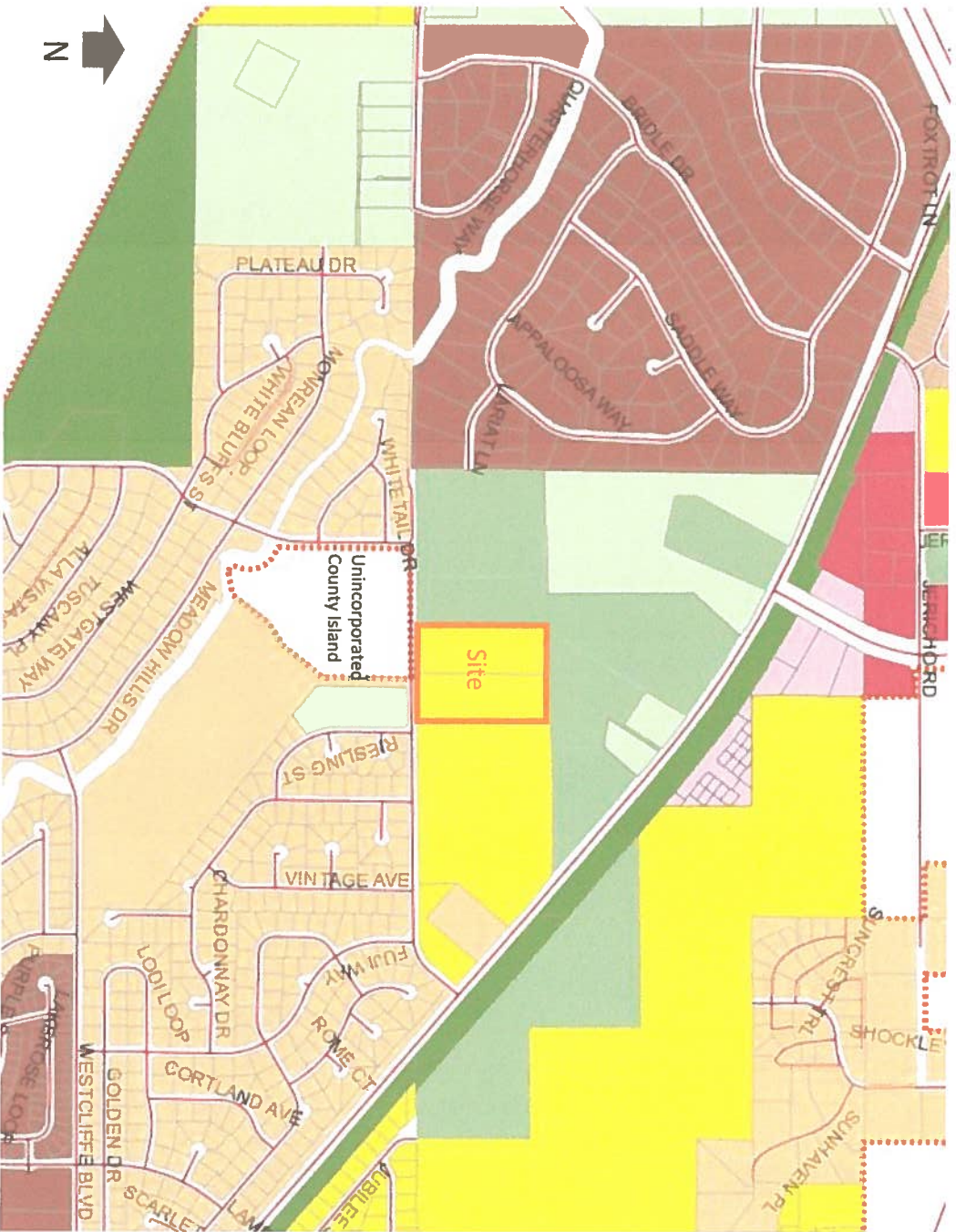
EXISTING LAND USE





ATTACHMENT L **COMPREHENSIVE PLAN** **DESIGNATIONS**

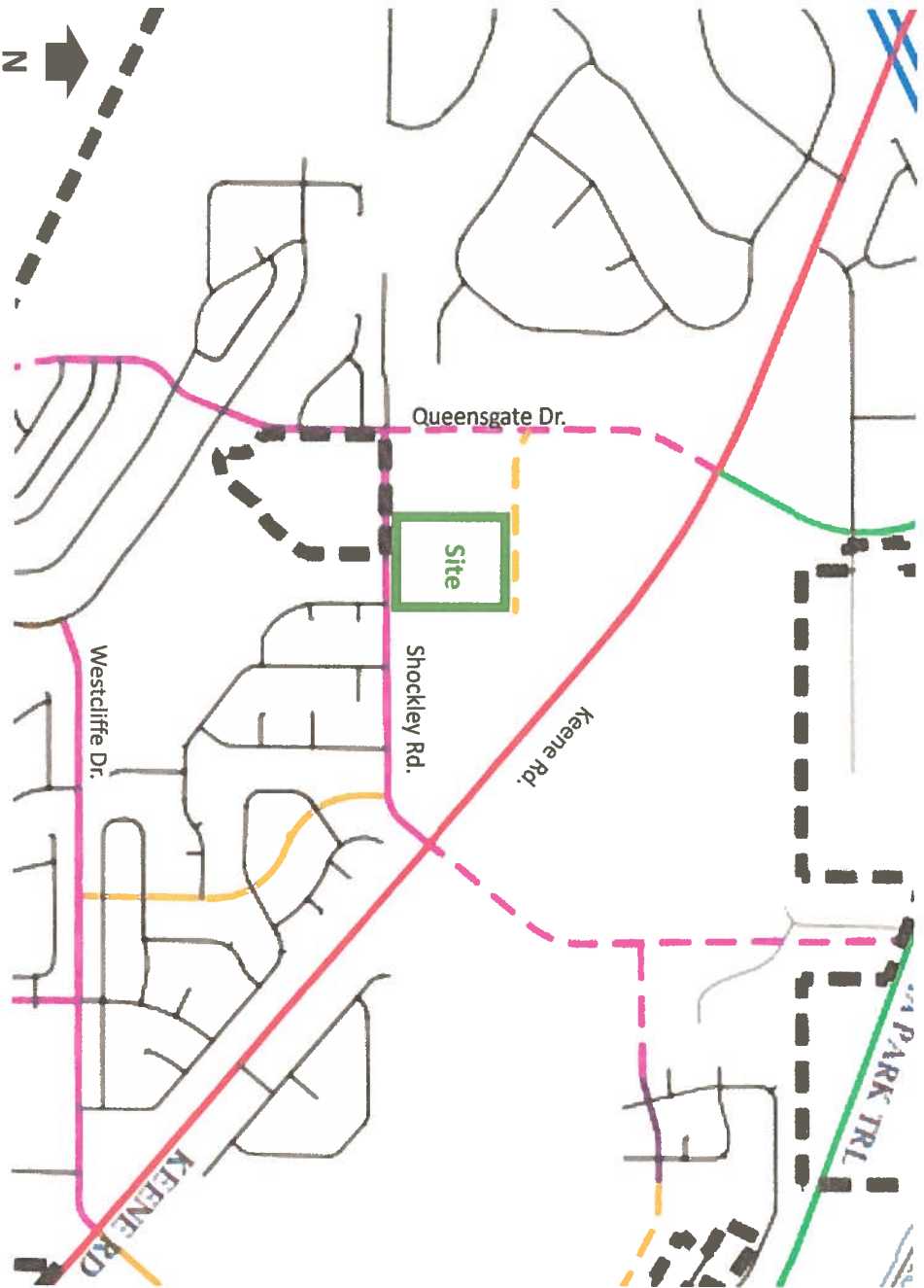
- LDR – Low Density Residential
- MDR – Medium Density Residential
- RES-OFF Multifamily Residential
- Office
- COM - Commercial
- DOS – Developed Open Space



ATTACHMENT M

ZONING

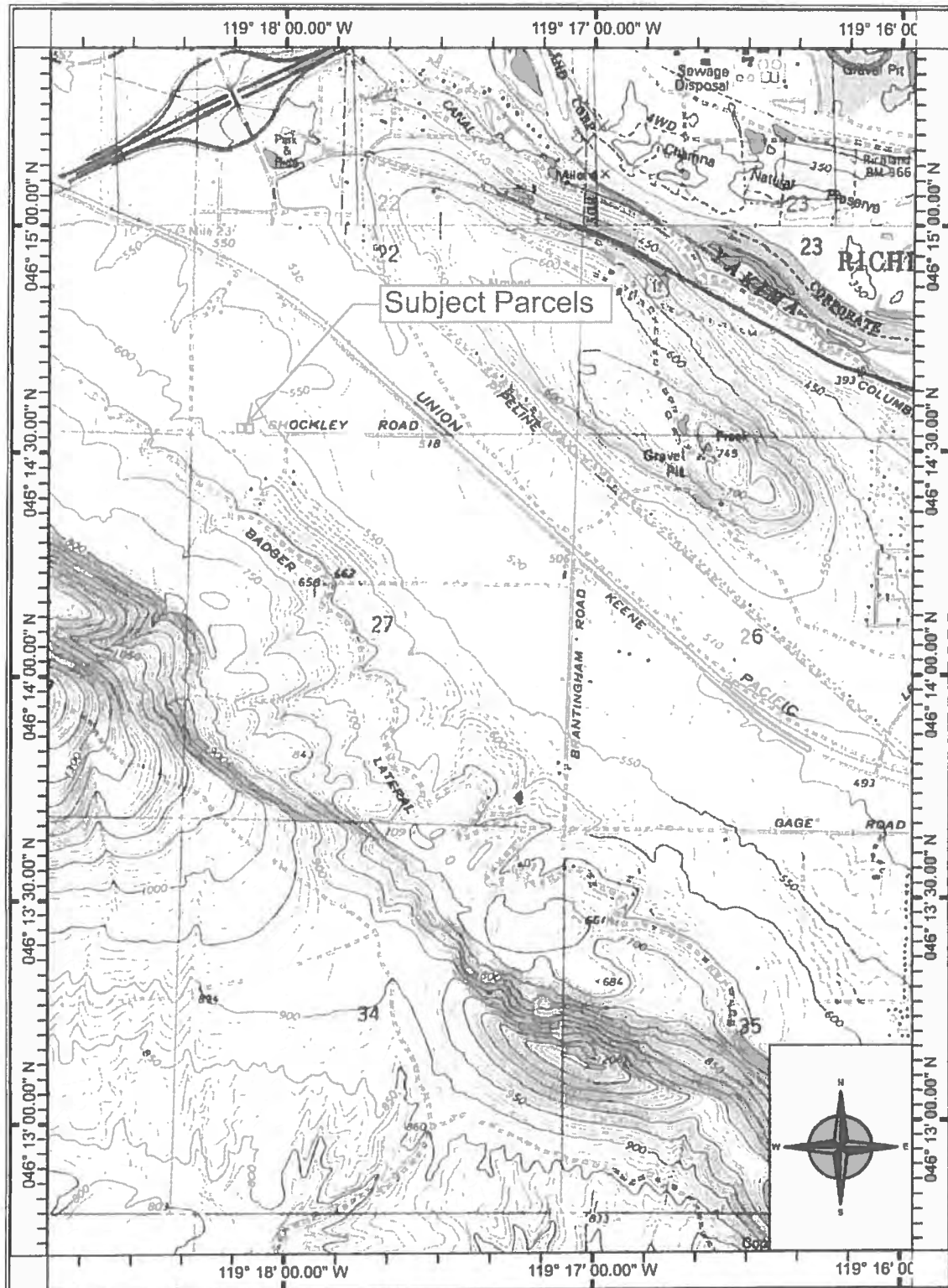
	R1-12 Single Family Residential
	R1-10 Single Family Residential
	PUD – Planned Unit Development
	SAG – Suburban Agriculture
	AG - Agricultural
	PPF – Parks & Public Facilities
	C-1 Neighborhood Retail Business
	C-2 Retail Business
	C-3 General Business



ATTACHMENT N

Street Classification

- Interstate
- Principal Arterial
- Minor Arterial
- Arterial Collector
- - - Proposed Arterial Collector
- Neighborhood Collector
- - - Proposed Neighborhood Collector



HORIZONTAL DATUM: NAD27

MAP: BADGER MT

 J-U-B ENGINEERS, INC.	 1 inch = 2,000 ft. CONTOUR INTERVAL: 10 Feet	VICINITY MAP
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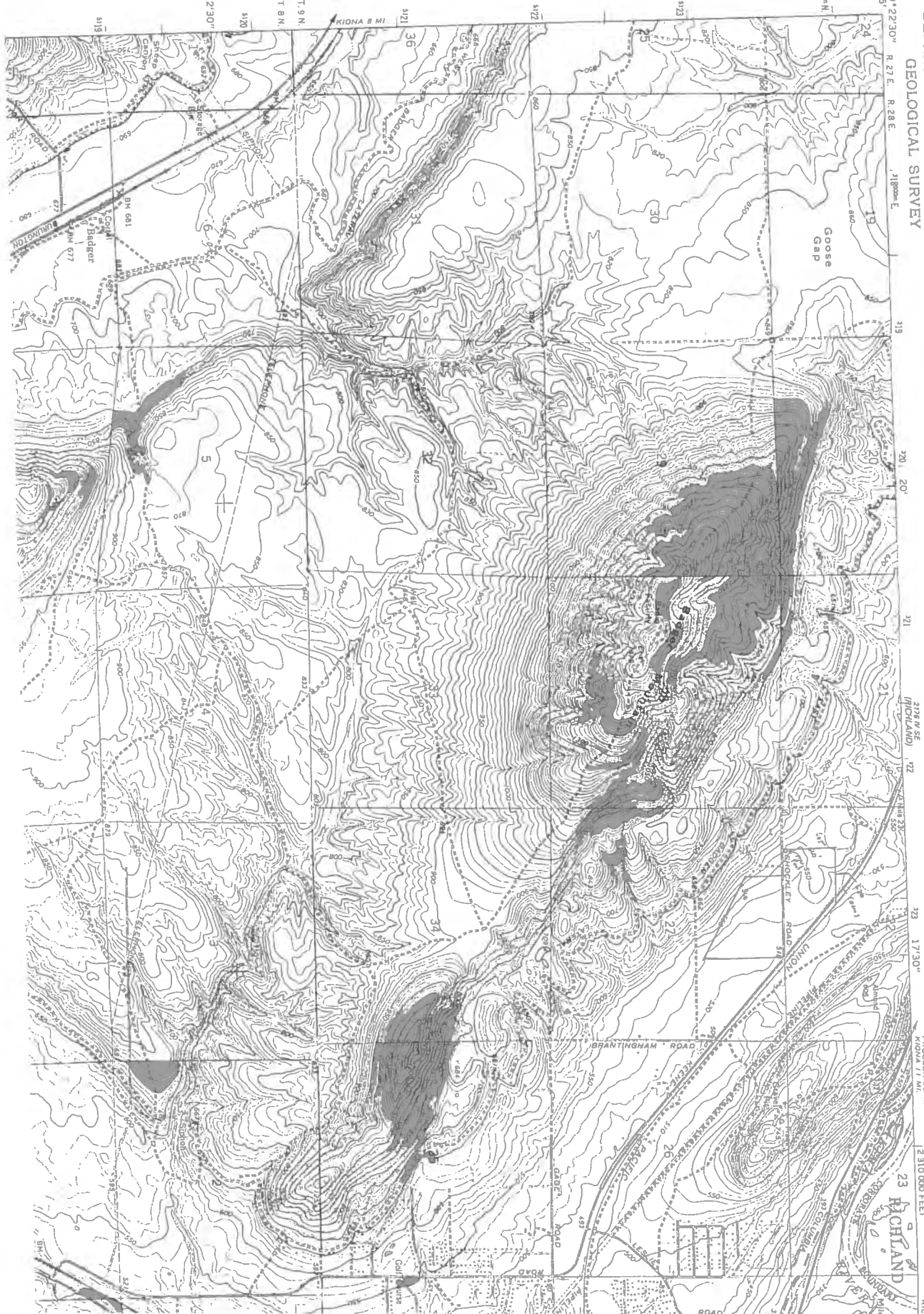
2776 N SW
BENTON CITY

3180000.E

222

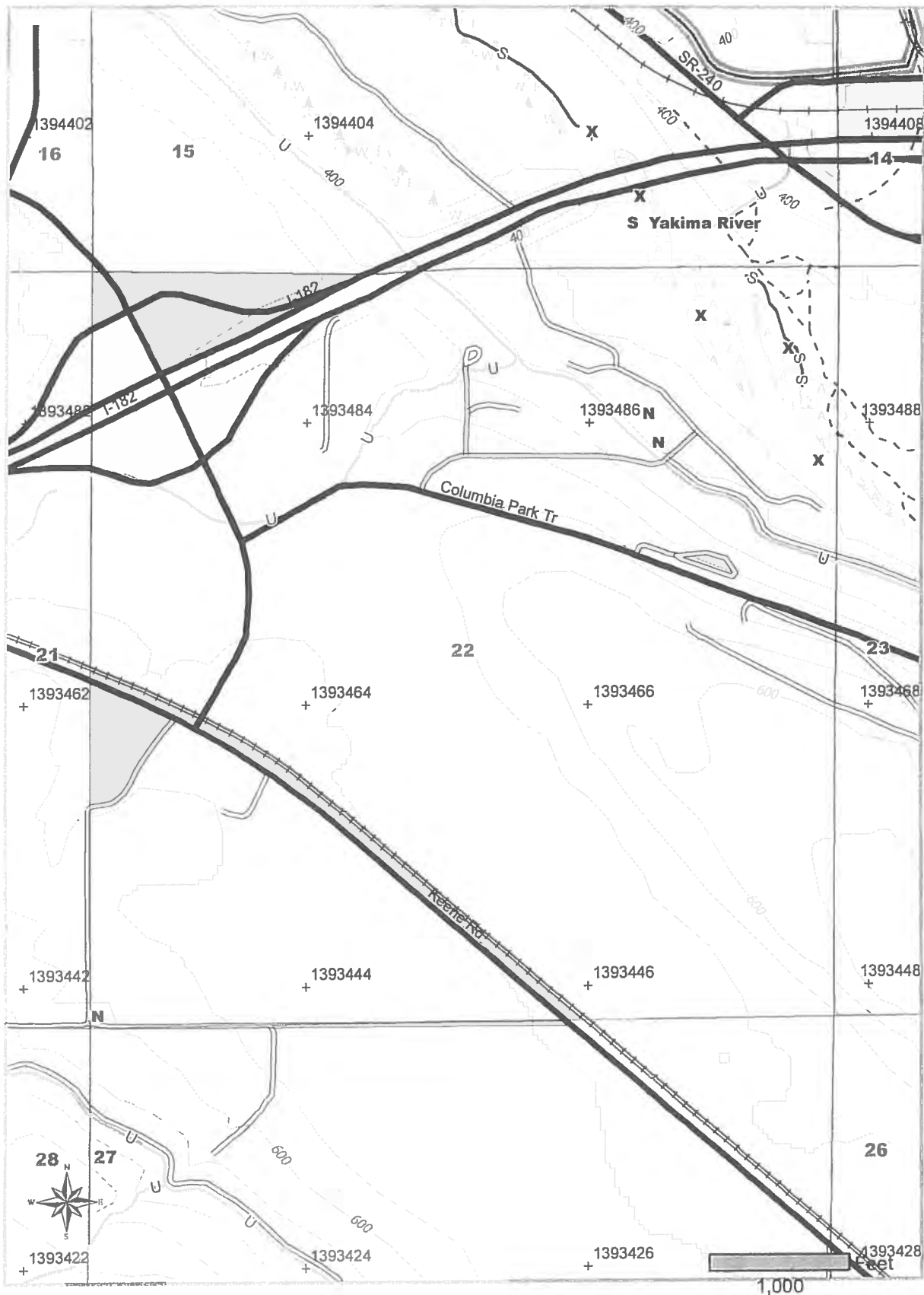
RIC	h/v
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WASHINGTON-B
INUTE SERIES
NE/4 BADGER MTN. 15'



TOWNSHIP 09 NORTH HALF 0, RANGE 28 EAST (W.M.) HALF 0, SECTION 22

Application #: _____



Date: 9/19/2017 Time: 3:03:57 PM
NAD 83
Contour Interval: 40 Feet



Zoning Map/Text Amendment Application

Note: A Pre-Application meeting is advised prior to submittal of an application

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: Bethel Church

Jim Dirks

Address: 600 Shockley Road, Richland, WA 99352

Phone: 509.628.0150

Email: richland@bethel-church.org

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company:

UBI#

Contact: Rick Simon

Address:

Phone: 509.531.0142

Email: rpsimon60@gmail.com

DESCRIPTION OF WORK

The proposal is to rezone a 10 acre site (2 adjacent 5 acre parcels) from R1-12 Low Density Residential to R-3 High Density Residential zoning. This application accompanies a comprehensive plan amendment application that would apply a High Density Residential land use designation in support of the proposed R-3 zoning. The intent is to develop the property with townhomes, senior housing or a nursing home. Included in this rezone request is a proposal to eliminate several uses normally permitted in the R-3 zone. These consist of apartments, dormitories, fraternities and sororities, manufactured home parks and recreational vehicle parks. The church would enter into a property use and development agreement with the City to ensure that these uses would not be allowed on the site.

PROPERTY INFORMATION

Parcel #: 122983000006002 & 122983000006002

Legal Description: See Attached

Current Zoning: R1-12 Single Family Res.

Current Comp Plan: Low Density Res.

Requested Zoning: R-3 Multi-Family Res.

Current Use: Vacant

Proposed Use: None Planned Presently

Area of Property: 10 Acres

APPLICATION MUST INCLUDE

1. Completed Application and Filing Fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

ANSWER QUESTIONS AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:

The property is well suited for higher density development, having separation from established single family neighborhoods and lying adjacent to a large church campus and future commercial property. Further, the property adjoins an existing collector arterial and a proposed neighborhood collector street, so future access to and from the site would not significantly impact existing neighborhoods.

Any hardship that may result in the event the rezone is not granted:

Denial of the rezone application would limit development options to low density residential uses. Given the site's proximity to future commercial uses, the desirability of this site for low density residential development is dramatically reduced.

The manner in which the proposed rezone conforms to patterns in adjacent zones: The rezone area would be separated from single family residential neighborhoods by the Bethel Church campus on the east; by Shockley Road on the south and would abut vacant commercial property on the north. One single family residence is located adjacent to and west of the site. The R-3 buffer standards contained in City code would ensure separation between the future development and the existing residence. The proposed rezone would be in keeping with the changing character of the area which calls for the extension of Queensgate Drive to the west of the site with commercial, multi-family residential and office development.
Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones: The proposal would assign R-3 zoning to the site with the limitation that no apartments, mobile home parks or RV parks would be permitted on-site. Additionally, the provisions of the R-3 zone require buffers (both setbacks and landscaping) when R-3 uses abut single family zoning. These provisions will mitigate any potential adverse impacts that result from the rezone.
Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title: The zone change would provide for alternative housing types that are expressly supported under the goals and policies of the City's Comprehensive Plan (refer to Land Use Goal #3) and so granting of the rezone would further the overall purpose and intent of the plan and zoning regulation.
The benefits or detriments accruing to the city which would result from the granting or denial of this special permit: If approved, the zone change would provide 10 acres in South Richland that would help to fill a need for housing other than detached single family housing. Alternative housing types, such as townhomes, duplexes or senior housing are not readily available in South Richland. The area of the proposed rezone is in a location that will be adjacent to future commercial and near future high density housing and office uses. The Church is willing to enter into an agreement with the City that would preclude the future development of apartments, dormitories, fraternities and sororities, manufactured home parks and recreational vehicle parks on the site in an effort to prevent any detrimental impacts to surrounding properties.
Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone: This rezone application is accompanied by a proposed amendment to the comprehensive plan which would change the land use designation of the site to High Density Residential. A detailed description of the benefits of the proposed plan change and how it is consistent with the City's comprehensive plan, with the Benton County Wide Planning Policies and the goals of the Growth Management Act are detailed in the application for comprehensive plan amendment.
Whether the proposed rezone represents spot zoning and whether a larger area should be considered: The site is located in an area that will see significant changes as development occurs. As commercial and multi-family residential/office lands to the immediate north and west are developed and as an arterial street (Queensgate) is extended just west of the site, the present character of the area will change. This site is well located to serve as a transition from the higher density development that will occur to the west and lower density development that lies south and east of the site. There may be other parcels in the vicinity that should be considered for higher density residential zoning, but these are not under the ownership of the church.
Identify impacts on the environment and public safety: Development of the property under the proposed zoning would result in more residential dwellings than if the property were developed under the existing zoning. This would lead to an increase in traffic and higher demands on public services; however, the location of the site in close proximity to existing and future arterial streets is well suited to accommodate additional traffic. Existing development in the area requires public services, so extension of services to the site would not unduly burden the City. Specific impacts of development will be mitigated through the environmental review, payment of mitigation fees and compliance with City development standards.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

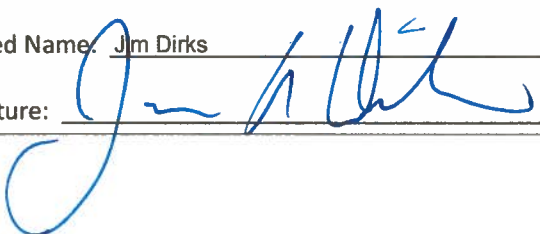
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

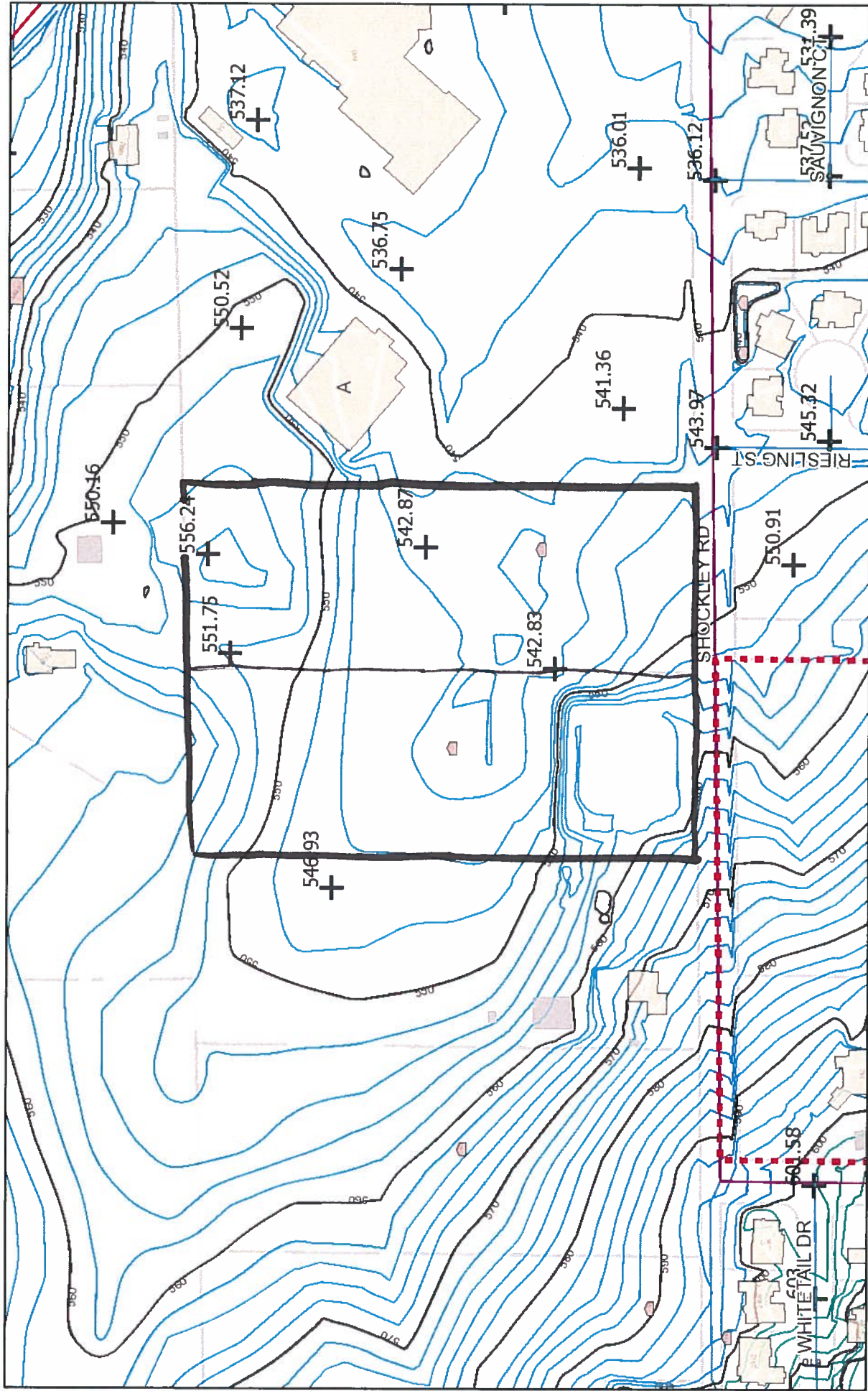
Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Jim Dirks

Applicant Signature: 

Date

3/13/19



March 5, 2019

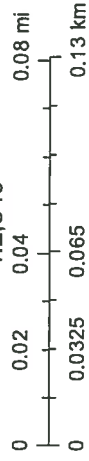
Richland City Limits

Urban Growth Area

Richland Airport

Interstate

1:2,540



The City of Richland does not guarantee the accuracy, adequacy, completeness or usefulness of any information. The City of Richland does not warrant the completeness, timeliness, or positional, thematic, and attribute accuracy of the GIS Data. The appropriate City department should always be contacted

COMMITMENT FOR TITLE INSURANCE



8203 WEST QUINAULT AVE, SUITE 10
KENNEWICK, WA 99336
Phone: 509-783-0660 Fax: 509-783-6612



8203 WEST QUINAULT AVE, SUITE 10, KENNEWICK, WA 99336
Phone: 509-783-0660 Fax: 509-783-6612

DISTRIBUTION LIST

Our Order No.: CBF5691
Reference No:
Re: BETHEL CHURCH OF RICHLAND, WASHINGTON/RICHLAND SCHOOL DISTRICT NO
400
Property Address: NKA
RICHLAND, WA 99352

This Preliminary Commitment has been prepared and distributed to the following parties:

	Lender
Escrow Officer: Angela Herman	
Selling Agent	Listing Agent
Eastside Commercial Properties, LLC 8905 Gage Blvd, STE 209 Kennewick, WA 99336 Contact: Terry Blankenship Email: terry@eastsidecre.com	
Additional Selling Agent	Additional Listing Agent
Buyer's Attorney	Seller's Attorney
Mortgage Broker	Additional Lender



COMMITMENT FOR TITLE INSURANCE
Issued by
TITLE RESOURCES GUARANTY COMPANY

Title Resources Guaranty Company, a Texas corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate 180 days after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, Title Resources Guaranty Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

A handwritten signature in dark ink, appearing to read "Mark D. Smith", written over a horizontal line.

An Authorized Signature



Title Resources Guaranty Company

By: Paul M. Mudge
Executive Vice President

Michael P. Haydon
Secretary

CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at < <http://www.alta.org/>>.



CASCADE TITLE COMPANY OF BENTON-FRANKLIN COUNTIES
8203 WEST QUINAULT AVE, SUITE 10, KENNEWICK, WA 99336
Phone: 509-783-0660 Fax: 509-783-6612

Agent for
TITLE RESOURCES GUARANTY COMPANY
ALTA COMMITMENT

SCHEDULE A

Title Officer: **Sharon Walker**

Escrow Officer: **Angela Herman**

Ref: **BETHEL CHURCH OF RICHLAND, WASHINGTON /
RICHLAND SCHOOL DISTRICT NO 400**

Order No.: **CBF5691**

Reference No.:

Add'l Ref:

1. EFFECTIVE DATE: **September 13, 2017 at 8:00 AM.**

2. POLICY OR POLICIES TO BE ISSUED:

- | | | |
|--|--------|---------------------|
| a. ALTA 2006 STANDARD OWNER'S POLICY | Amount | \$775,000.00 |
| Proposed Insured: | | |
| RICHLAND SCHOOL DISTRICT NO 400, A WASHINGTON
MUNICIPAL CORPORATION | | |
| b. | Amount | |
| Proposed Insured: | | |
| c. | Amount | |
| Proposed Insured: | | |

PREMIUM INFORMATION:

- | | | | |
|---------------------------------|-------------------|----------------------|--------------------------|
| a. GENERAL SCHEDULE RATE | \$1,864.00 | Tax: \$160.30 | Total: \$2,024.30 |
| b. | | Tax: | Total: |
| c: | | Tax: | Total: |

3. THE ESTATE OR INTEREST IN THE LAND DESCRIBED HEREIN AND WHICH IS COVERED BY THIS COMMITMENT IS:

Fee Simple

4. THE ESTATE OR INTEREST REFERRED TO HEREIN IS AT DATE OF COMMITMENT VESTED IN:

**BETHEL CHURCH OF RICHLAND, WASHINGTON, A WASHINGTON NON-PROFIT
CORPORATION**

5. THE LAND REFERRED TO IN THIS COMMITMENT IS SITUATED IN THE COUNTY OF BENTON, STATE OF WASHINGTON AND IS MORE FULLY DESCRIBED AS FOLLOWS:

SEE ATTACHED EXHIBIT "A"

SCHEDULE B - SECTION I

REQUIREMENTS:

1. INSTRUMENTS CREATING THE ESTATE OR INTEREST TO BE INSURED MUST BE APPROVED AND FILED OF RECORD.
2. PAYMENT OF CANCELLATION FEE IN ACCORDANCE WITH OUR FILED RATE SCHEDULE, TO BE IMPOSED IF THIS TRANSACTION IS CANCELED FOR ANY REASON.
3. THIS COMMITMENT SHALL NOT OBLIGATE THE COMPANY TO ISSUE ANY ENDORSEMENT. ALL ENDORSEMENTS TO BE ISSUED MUST BE AGREED TO BY THE COMPANY AND APPROPRIATE FOR THE ESTATE INSURED.
4. ANY SKETCH OR MAP ENCLOSED AS AN ATTACHMENT HERewith IS FURNISHED FOR INFORMATION PURPOSES ONLY TO ASSIST IN PROPERTY LOCATION WITH REFERENCE TO STREETS AND OTHER PARCELS. NO REPRESENTATION IS MADE AS TO ACCURACY AND THE COMPANY ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE THEREON.

END OF SCHEDULE B - SECTION I REQUIREMENTS

SCHEDULE B - SECTION II

SCHEDULE B OF THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY.

GENERAL EXCEPTIONS:

- A. RIGHTS OR CLAIMS DISCLOSED ONLY BY POSSESSION, OR CLAIMED POSSESSION, OF THE PREMISES.
- B. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY OR INSPECTION OF THE PREMISES.
- C. EASEMENTS, PRESCRIPTIVE RIGHTS, RIGHTS-OF-WAY, STREETS, ROADS, ALLEYS OR HIGHWAYS NOT DISCLOSED BY THE PUBLIC RECORDS.
- D. ANY LIEN, OR RIGHT TO A LIEN, FOR CONTRIBUTIONS TO EMPLOYEES BENEFIT FUNDS, OR FOR STATE WORKERS' COMPENSATION, OR FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, ALL AS IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
- E. UNDERGROUND EASEMENTS, SERVITUDES OR INSTALLATIONS OF WHICH NO NOTICE IS OF RECORD.
- F. GENERAL TAXES NOT NOW PAYABLE; MATTERS RELATING TO SPECIAL ASSESSMENTS AND SPECIAL LEVIES, IF ANY, PRECEDING THE SAME BECOMING A LIEN.
- G. ANY SERVICE, INSTALLATION, CONNECTION, MAINTENANCE, OR CONSTRUCTION CHARGES FOR SEWER, WATER, ELECTRICITY, NATURAL GAS OR OTHER UTILITIES OR GARBAGE COLLECTION AND DISPOSAL.
- H. RESERVATIONS OR EXCEPTIONS IN UNITED STATES PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.
- I. INDIAN TRIBAL CODES OR REGULATIONS, INDIAN TREATY OR ABORIGINAL RIGHTS, INCLUDING EASEMENTS OR EQUITABLE SERVITUDES.
- J. WATER RIGHTS, CLAIMS OR TITLE TO WATER.
- K. DEFECTS, LIENS ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT

END OF SCHEDULE B SECTION II GENERAL EXCEPTIONS

SPECIAL EXCEPTIONS:

1. **LIEN OF REAL ESTATE EXCISE TAX UPON ANY SALE OF SAID PREMISES, IF UNPAID.**

NOTE: EXCISE TAX OF 1.78% IS DUE ON THE SALES PRICE OF ALL PROPERTY IN CITY OF RICHLAND TAX CODE AREAS R3.

2. **LAST HALF OF GENERAL TAXES FOR 2017 OWING IN THE SUM OF \$802.66. TAX ACCOUNT NO. 1-2298-300-0006-002. (FULL YEAR GENERAL TAXES WERE IN THE AMOUNT OF \$1,605.39) (AREA CODE R3) FIRST HALF TAXES ARE DELINQUENT MAY 1; LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.**

3. **LAST HALF OF GENERAL TAXES FOR 2017 OWING IN THE SUM OF \$1,401.66. TAX ACCOUNT NO. 1-2298-300-0006-003. (FULL YEAR GENERAL TAXES WERE IN THE AMOUNT OF \$2,803.43) (AREA CODE R3) FIRST HALF TAXES ARE DELINQUENT MAY 1; LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.**

4. **IRRIGATION ASSESSMENT BY KENNEWICK IRRIGATION DISTRICT, FOR THE SECOND HALF OF THE YEAR 2017 DUE, BUT NOT DELINQUENT UNTIL NOVEMBER 1, 2017, PLUS INTEREST AND PENALTIES, IF ANY;**

**AMOUNT BILLED: \$848.91
AMOUNT PAID: \$424.45
AMOUNT DUE: \$424.46
TAX ACCOUNT NO.: 1-2298-300-0006-002**

5. **IRRIGATION ASSESSMENT BY KENNEWICK IRRIGATION DISTRICT, FOR THE SECOND HALF OF THE YEAR 2017 DUE, BUT NOT DELINQUENT UNTIL NOVEMBER 1, 2017, PLUS INTEREST AND PENALTIES, IF ANY;**

**AMOUNT BILLED: \$848.18
AMOUNT PAID: \$424.09
AMOUNT DUE: \$424.09
TAX ACCOUNT NO.: 1-2298-300-0006-003**

6. **LIABILITY TO FUTURE ASSESSMENT BY KENNEWICK IRRIGATION DISTRICT, NONE NOW DUE AND PAYABLE.**

7. **EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;**

**RECORDED: FEBRUARY 21, 1957
RECORDING NO.: 368616
IN FAVOR OF: BENTON RURAL ELECTRIC ASSOCIATION, A CORPORATION
FOR: TO SET 14 POLES FOR CARRYING ELECTRIC POWER WIRES
WITH SUCH ANCHOR AND GUY WIRES AS MAY BE NECESSARY
FOR THE SAME**

8. **RESERVATIONS BY THE UNITED STATES OF AMERICA IN PATENT RECORDED FEBRUARY 5, 1964, UNDER AUDITOR'S FILE NO. 514550, AS FOLLOWS:**

EXCEPTING AND RESERVING, ALSO, TO THE UNITED STATES ALL THE OIL AND GAS IN THE LAND SO PATENTED, AND TO IT, OR PERSONS AUTHORIZED BY IT THE RIGHT TO PROSPECT FOR, MINE AND REMOVE SUCH DEPOSITS FROM THE SAME UPON COMPLIANCE WITH THE CONDITIONS AND SUBJECT TO THE PROVISIONS AND LIMITATIONS OF THE ACT OF JULY 17, 1914 (38 STAT. 509).

THERE IS ALSO RESERVED A RIGHT OF WAY FOR A FEDERAL AID HIGHWAY UNDER 23 U.S.C. 317.

CONTINUED

9. TERMS, COVENANTS AND PROVISIONS OF THAT CERTAIN EASEMENT, AS DISCLOSED BY INSTRUMENT;
RECORDED: JUNE 2, 1969
RECORDING NO.: 601958
IN FAVOR OF: V. DEAN ALLEN AND BARBARA JEAN ALLEN, HIS WIFE
FOR: TO RECEIVE IRRIGATION WATER
10. TERMS, COVENANTS AND PROVISIONS OF THAT CERTAIN EASEMENT, AS RESERVED BY INSTRUMENT;
RECORDED: APRIL 30, 1990
RECORDING NO.: 90-6812
IN FAVOR OF: LOREN COSENS AND THELMA LORRAINE COSENS, THEIR SUCCESSORS AND ASSIGNS
FOR: IRRIGATION PURPOSES
11. RIGHT-OF-WAY FOR SHOCKLEY ROAD, IF ANY, AND ANY EASEMENT RIGHTS OF ADJOINING PROPERTIES OR THE PUBLIC TO THAT PORTION OF THE LAND INCLUDED WITHIN SUCH ROAD, AS DISCLOSED BY MATTERS OF RECORD.
12. MUNICIPAL SEWER FACILITIES ACT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
REGARDING: A DOMESTIC SEWER MAIN
RECORDED: December 03, 2004
AUDITOR'S FILE NO.: 2004-042290
(INCLUDES OTHER PROPERTY)
13. MUNICIPAL SEWER FACILITIES ACT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
REGARDING: A DOMESTIC SEWER MAIN
RECORDED: December 03, 2004
AUDITOR'S FILE NO.: 2004-042291
(INCLUDES OTHER PROPERTY)
14. MUNICIPAL SEWER FACILITIES ACT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
REGARDING: A DOMESTIC SEWER MAIN
RECORDED: December 03, 2004
AUDITOR'S FILE NO.: 2004-042292
(INCLUDES OTHER PROPERTY)
15. MUNICIPAL SEWER FACILITIES ACT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
REGARDING: A DOMESTIC SEWER MAIN
RECORDED: March 09, 2005
AUDITOR'S FILE NO.: 2005-007279
(INCLUDES OTHER PROPERTY)
16. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: BETHEL CHURCH, ITS HEIRS, EXECUTORS, ADMINISTRATORS AND ASSIGNS
PURPOSE: INGRESS AND EGRESS
RECORDED: December 12, 2005
AUDITOR'S FILE NO.: 2005-042552
(INCLUDES OTHER PROPERTY)

CONTINUED

17. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

GRANTOR: BETHEL CHURCH OF RICHLAND, WASHINGTON, WHO ACQUIRED
TITLE AS BETHEL CHURCH, A WASHINGTON NON-PROFIT
CORPORATION
TRUSTEE: TRI-CITY TITLE & ESCROW
BENEFICIARY: BANNER BANK
AMOUNT: \$1,800,000.00
DATED: November 07, 2013
RECORDED: November 13, 2013
AUDITOR'S FILE NO.: 2013-037750
(INCLUDES OTHER PROPERTY)

MODIFICATION OF DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

DATED: May 03, 2016
RECORDED: May 06, 2016
AUDITOR'S FILE NO.: 2016-012418
PROVIDING FOR: ADDITIONAL ADVANCE
(INCLUDES OTHER PROPERTY)

18. ASSIGNMENT OF LEASES AND/OR RENTS:

ASSIGNOR: BETHEL CHURCH OF RICHLAND, WASHINGTON, WHO ACQUIRED
TITLE AS BETHEL CHURCH, A WASHINGTON NON-PROFIT
CORPORATION
ASSIGNEE: BANNER BANK
RECORDED: November 13, 2013
AUDITOR'S FILE NO.: 2013-037751
(INCLUDES OTHER PROPERTY)

19. FINANCING STATEMENT AND THE TERMS AND CONDITIONS THEREOF:

DEBTOR: BETHEL CHURCH OF RICHLAND, WASHINGTON
SECURED PARTY: BANNER BANK
RECORDED: November 13, 2013
AUDITOR'S FILE NO.: 2013-037752
(INCLUDES OTHER PROPERTY)

END OF SCHEDULE B- SECTION II SPECIAL EXCEPTIONS

NOTES:

- a. THE ADDRESS OF THE SUBJECT PROPERTY IS:

NKA
RICHLAND, WA 99352

- b. ACCORDING TO THE RECORDS OF BENTON COUNTY ASSESSOR, THE CURRENT VALUE OF SAID PREMISES IS AS FOLLOWS:

TAX ACCOUNT NO.: 1-2298-300-0006-002
LAND: \$133,680.00
IMPROVEMENTS: \$0.00
TOTAL: \$133,680.00

TAX ACCOUNT NO.: 1-2298-300-0006-003
LAND: \$233,940.00
IMPROVEMENTS: \$0.00
TOTAL: \$233,940.00

- c. THE FOLLOWING ABBREVIATED LEGAL DESCRIPTION IS PROVIDED AS A COURTESY TO ENABLE THE DOCUMENT PREPARER TO CONFORM WITH THE REQUIREMENTS OF RCW 65.04.045, PERTAINING TO STANDARDIZATION OF RECORDED DOCUMENTS.

ABBREVIATED LEGAL DESCRIPTION:

Ptn. SW 22-9-28

- d. THERE ARE NO CONVEYANCES AFFECTING SAID PREMISES RECORDED WITHIN THE LAST 24 MONTHS.
- e. TITLE IS HELD BY A CHURCH INCORPORATED UNDER THE LAWS OF THE STATE OF WASHINGTON. IT MAY SELL, CONVEY OR MORTGAGE THE PROPERTY ONLY IN ACCORDANCE WITH ITS BY-LAWS AND PURSUANT TO THE DISCIPLINE OF ANY MOTHER CHURCH WITH WHICH IT MAY BE AFFILIATED. A PROPER SHOWING OF SAID AUTHORITY SHOULD BE SUBMITTED.

END OF SCHEDULE B- SECTION II NOTES



Authorized Signature

EXHIBIT "A"

PARCEL A:

THE WEST 286.37 FEET OF THE EAST 1131.63 FEET OF THAT PORTION OF THE WEST 2054.40 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANT 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.40 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE; EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD.

PARCEL B:

THE WEST 284.02 FEET OF THE EAST 845.31 FEET OF THAT PORTION OF THE WEST 2054.40 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANT 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.40 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE; EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD.



Rev. 03-03-2017

FACTS	WHAT DOES TITLE RESOURCES GUARANTY COMPANY DO WITH YOUR PERSONAL INFORMATION?	
Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.	
What?	The types of personal information we collect and share depend on the product or service you have with us. This information can include: • Social Security number and account balances • Payment history and credit card or other debt • Checking account information and wire transfer instructions When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.	
How?	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons TITLE RESOURCES GUARANTY COMPANY chooses to share; and whether you can limit this sharing.	
Reasons we can share your personal information	Does TITLE RESOURCES GUARANTY COMPANY share?	Can you limit this sharing?
For our everyday business purposes – such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes- to offer our products and services to you	Yes	No
For joint marketing with other financial companies	No	<u>We don't share</u>
For our affiliates' everyday business purposes- information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes- information about your creditworthiness	No	We don't share
For our affiliates to market to you	No	We don't share
For nonaffiliates to market to you	No	We don't share
Questions?	Call (888) 485-3791	

Page 2

Who we are**Who is providing this notice?**

TITLE RESOURCES GUARANTY COMPANY

What we do**How does TITLE RESOURCES GUARANTY COMPANY protect my personal information?**

To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings.

How does TITLE RESOURCES GUARANTY COMPANY collect my personal information?

We collect your personal information, for example, when you

- Apply for insurance or pay insurance premiums
- Provide your mortgage information or show your driver's license
- Give us your contact information

We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.

Why can't I limit all sharing?

Federal law gives you the right to limit only

- Sharing for affiliates' everyday business purposes –information about your creditworthiness
 - Affiliates from using your information to market to you
 - Sharing for nonaffiliates to market to you

State laws and individual companies may give you additional rights to limit sharing.

Definitions**Affiliates**

Companies related by common ownership or control. They can be financial and nonfinancial companies.

- *Our affiliates include companies that are owned in whole or in part by Realogy Holdings Corp., such as Better Homes and Gardens® Real Estate, CENTURY 21®, Coldwell Banker®, Coldwell Banker Commercial®, The Corcoran Group®, ERA®, Sotheby's International Realty®, ZipRealty®, NRT LLC, Cartus and Title Resource Group.*

Nonaffiliates

Companies not related by common ownership or control. They can be financial and nonfinancial companies.

- *TITLE RESOURCES GUARANTY COMPANY does not share with nonaffiliates so they can market to you.*

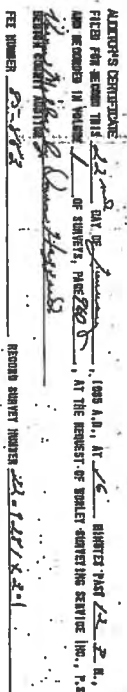
Joint Marketing

A formal agreement between nonaffiliated financial companies that together market financial products or service to you.

- *TITLE RESOURCES GUARANTY COMPANY does not share with nonaffiliated financial companies for joint marketing purposes.*

[illegible]

DATE APR 21 1965



RECORD SURVEY NUMBER 22-1251 X-20

WALLEY SURVEYING SERVICE, INC., P.S.
8033 WEST OLEANDER AVENUE
SUITE K
P.O. BOX 6132
KEMMERIC, WASHINGTON 98338
206-712-8578

8-00v

b-9744

VOL. 630 PAGE 2199

Filed for Record at Request of
Benton-Franklin Title Company
AFTER RECORDING MAIL TO:

OFFICIAL RECORDS

This Space Reserved For Recorder's Use:
 FILED BY
 JUL 3 3 36 PM '95
 BOBBIE GAGNER
 BENTON COUNTY, AUDITOR
 95 14367

Name BETHEL CHURCH
 Address 1916 JADWIN AVE.
 City, State, Zip RICHLAND, WA 99352
 Escrow number: E9108

BT-37073

Statutory Warranty Deed

BENTON-FRANKLIN TITLE CO.

THE GRANTOR WILLIAM J. FRITCHARD AND BONNIE JEAN FRITCHARD, husband and wife

for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION
 in hand paid, conveys and warrants to BETHEL CHURCH

the following described real estate, situated in the County of BENTON, State of Washington:
 SEE EXHIBIT "I" ATTACHED HERETO AND MADE A PART HEREOF

SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS, COVENANTS AND CONDITIONS OF
 RECORD. LIABILITY TO FUTURE ASSESSMENTS BY KENNEWICK IRRIGATION DISTRICT.

Dated this 27 day of June, 1995

By William J. Fritchard By _____
 WILLIAM J. FRITCHARD

By Bonnie Jean Fritchard By _____
 BONNIE JEAN FRITCHARD

1302418
 \$ 3916.00
 JUL 3 1995
 BENTON COUNTY
 CLERK

STATE OF WASHINGTON } ss
 COUNTY OF BENTON }

I certify that I know or have satisfactory evidence that WILLIAM J. FRITCHARD AND BONNIE JEAN
 FRITCHARD are the persons who appeared before me, and said persons acknowledged that
 they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes
 mentioned in this instrument.
 Dated: JUL 28, 1995

TERESA L. ANDREWS
 STATE OF WASHINGTON
 NOTARY - PUBLIC
 My Commission Expires 10-31-98

Teresa L. Andrews
 Notary Public in and for the State of WASHINGTON
 Residing at KENNEWICK

Order No. BT-37073
Endorsement

OFFICIAL RECORDS

Schedule "A-1"

PARCEL A:

The West 286.37 feet of the East 1131.63 feet of that portion of the West 2054.40 feet of the Southwest quarter of Section 22, Township 9 North, Range 28 East, W.M., Benton County, Washington, lying South of the following described line:

Beginning at a point on the West line of said Section distant 797.55 feet North of the Southwest corner thereof; thence East parallel with the South line of said Section 733 feet; thence Easterly in a straight line to a point on the East line of said West 2054.40 feet which is 827.10 feet North of the South line of said Section and the terminus of said described line; except the South 30 feet thereof for road.

PARCEL B:

The West 284.02 feet of the East 845.31 feet of that portion of the West 2054.40 feet of the Southwest quarter of Section 22, Township 9 North, Range 28 East, W.M., Benton County, Washington, lying South of the following described line:

Beginning at a point on the West line of said Section distant 797.55 feet North of the Southwest corner thereof; thence East parallel with the South line of said Section 733 feet; thence Easterly in a straight line to a point on the East line of said West 2054.40 feet which is 827.10 feet North of the South line of said Section and the terminus of said described line; except the South 30 feet thereof for road.

PARCEL C:

The West 281.75 feet to the East 561.29 feet of that portion of the West 2054.40 feet of the Southwest quarter of Section 22, Township 9 North, Range 28 East, W.M., Benton County, Washington, lying South of the following described line:

Beginning at a point on the West line of said Section distant 797.55 feet North of the Southwest corner thereof; thence East parallel with the South line of said Section 733 feet; thence Easterly in a straight line to a point on the East line of said West 2054.40 feet which is 827.10 feet North of the South line of said Section and the terminus of said described line; except the South 30 feet thereof for road.

PARCEL D:

The East 279.54 feet of that portion of the West 2054.40 feet of the Southwest quarter of Section 22, Township 9 North, Range 28 East, W.M., Benton County, Washington, lying South of the following described line:

Beginning at a point on the West line of said Section distant 797.55 feet North of the Southwest corner thereof; thence East parallel with the South line of said Section 733 feet; thence Easterly in a straight line to a point on the East line of said West 2054.40 feet which is 827.10 feet North of the South line of said Section and the terminus of said described line; except the South 30 feet thereof for road.

13428
ESMT 2/21/57

2/5/57; gvc; no rev; cert of exemp dtd 2/21/57 368616

George T Hunt & Betty A, h&w
to Behton Rural Electric Association

ggcy an esmt alg over & acr fdre to set 14 poles for elec
power wires with such anchor & guy wires as nec

That ptn of S $\frac{1}{2}$ of Sec 22-9-28; lyg S of UPR tracks. To
set approx 14 poles, starting at a pt approx 1' E of W ln
of sd ptop & 1' S of UPRR r/w ln & cont S paralleling the
W pty ln approx 2510' S to a pt approx 14' N of S pty ln
& th cont due E paralleling S pty ln a dist of approx
3300'

xen ok Hildebrant, Prosser (No/7/27/57)

Fld by: REA

Mailto: REA, Prosser, Wash

4-1051
(Sept. 1954)

Washington 03471

514550

Loren D. Cosens
FEB 5 11 11 AM '64

VERIFIED BY: AUDITOR

DEPUTY

RECORDED BY: *Pat. 1*

The United States of America

To all to whom these presents shall come, Greeting:

VOLUME *1* PAGE *1*
INDEXED BY *1*
CHECKED BY *1*

WHEREAS, the Act of Congress approved August 9, 1912, entitled "An Act providing for patents on reclamation entries, and for other purposes," provides:

"That no person shall at any one time or in any manner, except as hereinafter otherwise provided, acquire, own, or hold irrigable land for which entry or water-right application shall have been made under the said reclamation Act of June seventeenth, nineteen hundred and two, and Acts supplementary thereto and amendatory thereof, before final payment in full of all installments of building and betterment charges shall have been made on account of such land in excess of one farm unit as fixed by the Secretary of the Interior as the limit of area per entry of public land or per single ownership of private land for which a water right may be purchased respectively, nor in any case in excess of one hundred and sixty acres, nor shall water be furnished under said Acts nor a water right sold or recognized for such excess; but any such excess land acquired at any time in good faith by descent, by will, or by foreclosure of any lien may be held for two years and no longer after its acquisition; and every excess holding prohibited as aforesaid shall be forfeited to the United States by proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction; and this proviso shall be recited in every patent and water-right certificate issued by the United States under the provisions of this Act."

And WHEREAS, it appears from a Certificate of the Land Office at Spokane, Washington, that under the provisions of said Act, and of the Act of June 17, 1902 (32 Stat. 388) and Acts amendatory thereof and supplemental thereto, and the Act of May 15, 1922 (42 Stat. 541),

Loren Dale Cosens

is entitled to a patent for the Farm Unit "A", according to the Farm Unit Plat, of the following described land:

Willamette Meridian, Washington

T. 9 N., R. 28 E.,

Sec. 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$

The area described contains 160.00 acres,
according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management.

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of

1234797

U. S. GOVERNMENT PRINTING OFFICE 16-57274-2

Washington 03471

Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT,
unto the said **Loren Dale Cosens**

and to his heirs, the Tract above described, together with the right to the use of water from the Reclamation Project in which the tract is situated, as an appurtenance to the irrigable lands in said tract;
TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said **Loren Dale Cosens**

and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; but excepting, nevertheless, and reserving unto the United States, rights-of-way over, across, and through said lands for canals and ditches constructed, or to be constructed by its authority, all in the manner prescribed and directed by the Act of Congress approved August 30, 1890 (26 Stat. 391).

Excepting and reserving, also, to the United States all the oil and gas in the land so patented, and to it, or persons authorized by it the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914 (38 Stat. 509).

There is also reserved a right-of-way for a Federal Aid Highway under 23 U.S.C. 317.



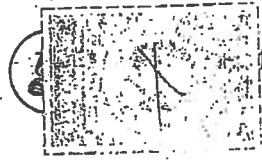
IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the TWENTY-FIRST day of JANUARY in the year of our Lord one thousand nine hundred and SIXTY-FOUR and of the Independence of the United States the one hundred and EIGHTY-EIGHTH.

For the Director, Bureau of Land Management.

By *Elizabeth G. Hicks*
Chief, Patents Section.

Patent Number 1224797



AMERICA TITLE
COMPANY

601958

THIS SPACE RESERVED FOR RECORDER'S USE:

FILED

PIONEER NAT'L TITLE INS. CO.

JUN 2 2 29 PM '69

VERIFIED BY REC'D

DEED

INDEXED BY

CHECKED BY

Filed for Record at Request of

Name Shed R. Staples

Address 1127 W. Florence

City and State Spokane, Wash. 99301

A-17124

Statutory Warranty Deed

BENTON COUNTY EXCISE T

Form 467-1-REV

1% Excise Tax \$ 100.00

Excise Tax Credit \$

THE GRANTORS LOREN DALE COSENS and BEULAH B. COSENS, his wife, also known as BEULAH D. COSENS

Dated

for and in consideration of TEN DOLLARS AND OTHER SUFFICIENT CONSIDERATION

TAX \$ 100.00

in hand paid, conveys and warrants to V. DEAN ALLEN and BARBARA J. ALLEN, his wife

THIS DATE 6-2-69

the following described real estate, situated in the County of BENTON Washington:

REC'D NO. 51645

That portion of the south 826.9 feet of the southwest quarter of Section 22, Township 9 north, Range 28 east W.M., in Benton County, Washington, lying southerly of Keene Road, EXCEPT the west 2054.4 feet thereof, and that portion of the southwest quarter of the southeast quarter of said Section 22 lying southerly of Keene Road, EXCEPT roads.

SUBJECT TO: 1) Easements for electric transmission line contained in instrument recorded under Auditor's File No. 368616; 2) Exceptions and reservations contained in Patent recorded under Auditor's File No. 514550; 3) Liability for further assessments by Kennewick Irrigation District.

The grantors also grant to the grantees an easement over land retained by the grantors westerly of the above described land, being the west 2054.4 feet of the south 826.9 feet of the southwest 1/4 of Section 22, Township 9 north, Range 28 east W.M., to receive irrigation water through existing lines on said premises and on the common boundary between the two parcels of land. Grantors will share cost of electricity, pump repair, replacement and maintenance of lines in proportion that the conveyed property bears to the area of the grantors remaining irrigable land. This covenant shall run with the land and be binding upon the heirs and successors of the grantees and grantors. Damage to the irrigation lines caused by either party shall be his responsibility. Any changing of position of the irrigation lines shall be up to the expense of the grantors or their successors unless done in connection with necessary replacement of said lines.

Dated this 9th day of MAY, 1969

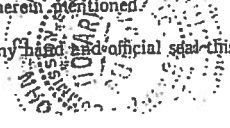
Loren Dale Cosen (SEAL)

Beulah B. Cosen (SEAL)

STATE OF WASHINGTON, ss.
County of BENTON

On this day personally appeared before me LOREN DALE COSENS and BEULAH B. COSENS, his wife, also known as BEULAH D. COSENS, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 9th day of MAY, 1969



Transamerica Title Insurance Co



A Service of
Transamerica Corporation

Filed for Record at Request of

Name Staples & Felsted

Address Box 2311

City and State Tri-Cities, Wash. 99302

Pritchard R.E.

18879 BT-18590/90-166

THIS SPACE RESERVED FOR RECORDER'S USE.

FILED BY 90- 6812

Apr 30 8 17 AM '90

BOBBIE GAGNER
BENTON COUNTY, AUDITOR

VOL 530 PAGE 1448

Statutory Warranty Deed

THE GRANTOR LOREN COSENS and THELMA LORRAINE COSENS, his wife,

for and in consideration of Ten Dollars and other consideration

in hand paid, conveys and warrants to WILLIAM J. PRITCHARD and BONNIE JEAN PRITCHARD, his wife,

the following described real estate, situated in the County of Washington:

Benton

State of
BENTON COUNTY EXCISE TAX

1% Excise Tax \$

Excise Tax Credit \$ 728.50

Rec. No. 51200

Dated 3-19-74

TAX PAID \$

THIS DATE 3-19-74

Rec. No. 51200

LEEN BERNOT, TREASURER

[Signature]
Deputy Treasurer

SEE EXHIBIT "A" ATTACHED HERETO

This deed is given in fulfillment of that certain real estate contract between the parties hereto, dated March 14, 1974, and conditioned for the conveyance of the above described property, and the covenants of warranty herein contained shall not apply to any title, interest or encumbrance arising by, through or under the purchaser in said contract, and shall not apply to any taxes, assessments or other charges levied, assessed or becoming due subsequent to the date of said contract.

Real Estate Sales Tax was paid on this sale on

, Rec. No.

Dated this

day of March

, 19 74.

Loren Cosens (SEAL)

Thelma Lorraine Cosens (SEAL)

STATE OF WASHINGTON, } ss.
County of Franklin }

On this day personally appeared before me LOREN COSENS and THELMA LORRAINE COSENS, his wife, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this

day of March

, 19 74.

[Signature]
Notary Public in and for the State of Washington,
residing at

BENTON - FRANKLIN TITLE CO.

Statutory Warranty Deed
Loren Cosens, et ux, to
William J. Pritchard, et ux

VOL 530 PAGE 1449

EXHIBIT "A"

That portion of the West 2054.40 feet of the Southwest Quarter of Section 22, Township 9 North, Range 28 East, W. M., lying South of the following described line: Beginning at a point on the West line of said Section distant 797.55 feet north of the southwest corner thereof: THENCE East parallel with the South line of said Section 733 feet; THENCE Easterly in a straight line to a point on the East line of said West 2054.40 feet which is 847.10 feet North of the South line of said Section and the terminus of said described line.

EXCEPT the South 30 feet thereof for roads and EXCEPT a parcel of land described as follows:

Beginning at the Southwest corner of Section 22, the true point of beginning, THENCE north along the section line between Sections 22 and 21, a distance of 260 feet, THENCE East parallel to and 260 feet distant from the South line of Section 22, a distance of 70 feet, THENCE South parallel to and 20 feet distant from the West line of Section 22, a distance of 80 feet, THENCE East parallel to and 180 feet North of the South line of Section 22, a distance of 175 feet, THENCE South parallel to and 125 feet distant from the West line of Section 22, to the South line of Section 22, a distance of 180 feet, THENCE West along the section line a distance of 125 feet to the true point of beginning; EXCEPT the South 30 feet thereof,

EXCEPT the West 733 feet of the South 797.55 feet of the Southwest Quarter of Section 22, Township 9 North, Range 28 E. W. M. and

EXCEPT any other portion of the premises described herein which has heretofore been conveyed to the Grantees, if any, in partial fulfillment of the Real Estate Contract herein referred to.

SUBJECT TO:

1. Liability to further assessment by Kennewick Irrigation District and matters relating to Kennewick Irrigation District.
2. Easements of record.

Grantors reserve to themselves, their successors and assigns, an Easement for irrigation purposes over, across and under the North 10 feet of the parcel herein conveyed. Said Easement for irrigation purposes shall be for the benefit of the Grantors and other persons using the irrigation system. Grantees will pay 40 per cent of the cost of electricity, pump repair, replacement and maintenance of all irrigation lines and equipment served by the pump located at the Southwest corner of the property. This covenant shall run with the land and be binding upon the heirs, successors and assigns of Grantees. Damage to irrigation equipment or lines caused by Grantees shall be paid by them.

The 40% apportionment relates to the total parcel of land subject to the underlying contract and shall be apportioned among subsequent purchasers of the land if it is subdivided in accordance with the total acreage.

WHEN RECORDED RETURN TO:

City of Richland
City Engineer
P.O. Box 190
Richland, WA. 99352

MUNICIPAL SEWER FACILITIES ACT AGREEMENT

PARCEL I.D. NUMBERS 1-2298-300-0006-004
1-2298-300-0006-003
1-2298-300-0006-001
1-2298-300-0004-001
1-2298-300-0003-002
1-2798-201-1760-008
1-2798-200-0002-001
1-2798-200-0009-000
1-2798-200-0004-000
1-2798-200-0010-000
1-2798-200-0008-000
1-2898-100-0001-000

This agreement made this 2nd day of December, 2004 between the City of Richland, Washington, a municipal corporation, hereinafter called the "City" and Milo and Mark Bauder, hereinafter called the "Developer".

WITNESS THAT:

In consideration of the construction of a domestic sewer main in the City of Richland, and the Developer's making said sewer main a part of the City sewer collection system and mutual agreements herein contained, the parties do agree as follows:

1. Purpose:

This agreement is made pursuant to the Municipal Water and Sewer Facilities Act Laws of 1959, Chapter 261 (CH. 35.91 RCW). The Developer has constructed an off-site 8-inch domestic sewer main to serve property owned by the developer (i.e. the Westcliffe Subdivision), and will serve other properties as shown on the attached map (Exhibit A).

2. Sewer Main -- Acceptance by City:

The City has approved the construction of, and will accept as a facility of the City and as a portion of its sewer collection system upon completion of its construction, and after it has been inspected and tested. The City agrees to bear all further maintenance and operation costs of said sewer line.

3. Cost of Sewer Main:

The Developer has presented to the City Engineer, documentation showing the construction cost of said sewer main, and the City Engineer has reviewed the documents submitted; and it is agreed that the cost of said off-site sewer main construction is \$42,376.00.

4. Payments required by adjacent property owner (as identified in attached Exhibit A):

The City hereby agrees that none of the noted properties will be authorized to connect into or use said sewer line without first paying to the City, in addition to any and all other costs and charges made and assessed for such tap or use, their fair prorated share of the cost for the construction of the sewer facility as hereinafter determined.

5. Determination of Fair Share:

The total cost of the sewer main shall be divided on a per acre basis between the noted parcels. Given the accepted cost of the installed main and the number of serviceable acres, the cost was calculated to be \$502.08 per acre. The amount to be repaid shall be subjected to a 3% inflation factor applied yearly from the date of acceptance of this agreement. The assignment of costs under this agreement shall be as follows:

MAP NUMBER	PARCEL	ACREAGE	COST**
1	Tax I.D. # 1-2298-300-0006-004	5.10	2,552.34
2	Tax I.D. # 1-2298-300-0006-003	0.95	475.92
3	Tax I.D. # 1-2298-300-0006-001	0.89	433.54
4	Tax I.D. # 1-2298-300-0004-001	0.43	221.66
5	Tax I.D. # 1-2298-300-0003-002	0.29	136.91
6	Tax I.D. # 1-2798-201-1760-008	4.30	2,170.96
7	Tax I.D. # 1-2798-200-0002-001	4.50	2,255.71
8	Tax I.D. # 1-2798-200-0008-000	28.70	14,417.62
9	Tax I.D. # 1-2798-200-0004-000	8.40	4,205.00
10	Tax I.D. # 1-2798-200-0010-000	6.00	3,018.48
11	Tax I.D. # 1-2798-200-0008-000*	7.00	3,526.99
12	Tax I.D. # 1-2898-100-0001-000*	4.20	2,086.20
13	Westcliffe, phase 1*	13.64	6,874.69
	Total acreage	84.40	\$42,376.00

* These properties are exempt from latecomer charges

** The amount to be repaid shall be subjected to a 3% inflation factor applied yearly from the date of acceptance of this agreement

6. Repayment:

The City agrees to pay to the Developer within sixty (60) days after receipt, any sums received from "others" during the term of this agreement as their pro rata share of the cost of said sewer main. No transfer or assignment of the right to receive any such payments shall be binding upon the City unless it has received notice in writing of such transfer or assignment, and any such payment to the Developer or other persons shown in the City records as entitled to receive such payment before receipt of such notice shall discharge the City of its obligation under this paragraph to the extent of such payment.

7. Term:

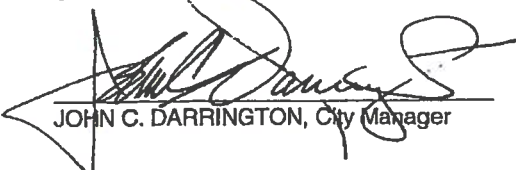
This agreement shall continue in force and effect for a period not to exceed fifteen (15) years from the date first above written or until the latecomers fee is paid in full, whichever is sooner.

8. Recording:

This agreement shall not be enforceable against any part unless Developer has caused the same to be filed and recorded with the Benton County Auditor pursuant to RCW 35.91.020.

IN WITNESS WHEREOF, the parties hereto have executed this agreement in duplicate the day and year first above written.

CITY OF RICHLAND


JOHN C. DARRINGTON, City Manager

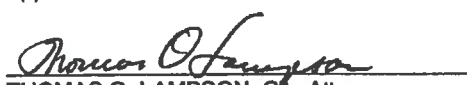

CYNTHIA D. JOHNSON
CITY CLERK

DEVELOPER


Milo Bauder 12-2-04
Date


Mark Bauder 12-2-04
Date

Approved as to form:

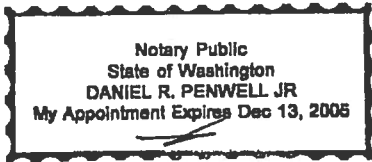

THOMAS O. LAMPSON, City Attorney

STATE OF WASHINGTON)
 :ss
COUNTY OF BENTON)

On this 02 day of DEC, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MILO BAUDER and MARK BAUDER, to me known to be the individuals that executed the foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day and year first above written.

[Signature]



Notary Public in and for the State of Washington; residing at KEWEE
My commission expires: 12-13-05
Print name: DANIEL R. PENWELL JR.

STATE OF WASHINGTON)
 :ss
COUNTY OF BENTON)

On this 3rd day of December, 2004, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared JOHN C. DARRINGTON and CYNTHIA D. JOHNSON, to me known to be the CITY MANAGER and CITY CLERK, respectively, of the CITY OF RICHLAND, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

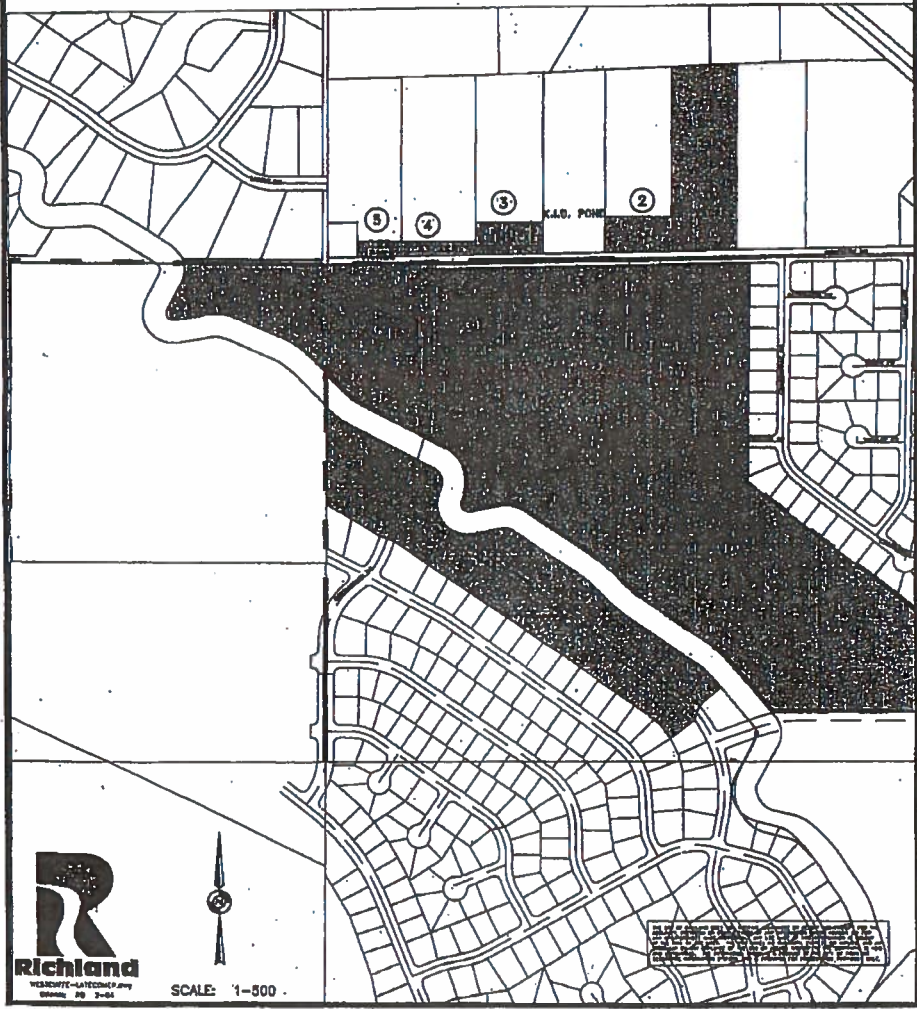
Witness my hand and official seal hereto affixed the day and year first above written.

Ellen E. Kuklinski



Notary Public in and for the State of Washington; residing at Richland
My commission expires: 8/21/08
Print name: Ellen E. Kuklinski

WESTCLIFFE / LATECOMER AGREEMENT PARCEL MAP EXHIBIT A



WHEN RECORDED RETURN TO:

City of Richland
City Engineer
P.O. Box 190
Richland, WA. 99352

MUNICIPAL SEWER FACILITIES ACT AGREEMENT

PARCEL I.D. NUMBERS

- 1-2298-300-0006-004
- 1-2298-300-0006-003
- 1-2298-300-0006-001
- 1-2298-300-0004-001
- 1-2298-300-0003-002
- 1-2798-201-1760-008
- 1-2798-200-0002-001
- 1-2798-200-0009-000
- 1-2798-200-0004-000
- 1-2798-200-0010-000
- 1-2798-200-0008-000
- 1-2898-100-0001-000

This agreement made this 2nd day of December, 2004 between the City of Richland, Washington, a municipal corporation, hereinafter called the "City" and Milo and Mark Bauder, hereinafter called the "Developer".

WITNESS THAT:

In consideration of the construction of a domestic sewer main in the City of Richland, and the Developer's making said sewer main a part of the City sewer collection system and mutual agreements herein contained, the parties do agree as follows:

1. Purpose:

This agreement is made pursuant to the Municipal Water and Sewer Facilities Act Laws of 1959, Chapter 261 (CH. 35.91 RCW). The Developer has constructed an off-site 8-inch domestic sewer main to serve property owned by the developer (i.e. the Westcliffe Subdivision), and will serve other properties as shown on the attached map (Exhibit A).

2. Sewer Main – Acceptance by City:

The City has approved the construction of, and will accept as a facility of the City and as a portion of its sewer collection system upon completion of its construction, and after it has been inspected and tested. The City agrees to bear all further maintenance and operation costs of said sewer line.

3. Cost of Sewer Main:

The Developer has presented to the City Engineer, documentation showing the construction cost of said sewer main, and the City Engineer has reviewed the documents submitted; and it is agreed that the cost of said off-site sewer main construction is \$42,376.00.

4. Payments required by adjacent property owner (as identified in attached Exhibit A):

The City hereby agrees that none of the noted properties will be authorized to connect into or use said sewer line without first paying to the City, in addition to any and all other costs and charges made and assessed for such tap or use, their fair prorated share of the cost for the construction of the sewer facility as hereinafter determined.

5. Determination of Fair Share:

The total cost of the sewer main shall be divided on a per acre basis between the noted parcels. Given the accepted cost of the installed main and the number of serviceable acres, the cost was calculated to be \$502.08 per acre. The amount to be repaid shall be subjected to a 3% inflation factor applied yearly from the date of acceptance of this agreement. The assignment of costs under this agreement shall be as follows:

MAP NUMBER	PARCEL	ACREAGE	COST**
1	Tax I.D. # 1-2298-300-0006-004	5.10	2,552.34
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4	Tax I.D. # 1-2298-300-0004-001	0.43	221.66
5	Tax I.D. # 1-2298-300-0003-002	0.29	136.91
6	Tax I.D. # 1-2798-201-1760-008	4.30	2,170.96
7	Tax I.D. # 1-2798-200-0002-001	4.50	2,255.71
8	Tax I.D. # 1-2798-200-0008-000	28.70	14,417.62
9	Tax I.D. # 1-2798-200-0004-000	8.40	4,205.00
10	Tax I.D. # 1-2798-200-0010-000	6.00	3,018.48
11	Tax I.D. # 1-2798-200-0008-000*	7.00	3,526.99
12	Tax I.D. # 1-2898-100-0001-000*	4.20	2,086.20
13	Westcliffe, phase 1*	13.64	6,874.69
	Total acreage	84.40	\$42,376.00

* These properties are exempt from latecomer charges

** The amount to be repaid shall be subjected to a 3% inflation factor applied yearly from the date of acceptance of this agreement

6. Repayment:

The City agrees to pay to the Developer within sixty (60) days after receipt, any sums received from "others" during the term of this agreement as their pro rata share of the cost of said sewer main. No transfer or assignment of the right to receive any such payments shall be binding upon the City unless it has received notice in writing of such transfer or assignment, and any such payment to the Developer or other persons shown in the City records as entitled to receive such payment before receipt of such notice shall discharge the City of its obligation under this paragraph to the extent of such payment.

7. Term:

This agreement shall continue in force and effect for a period not to exceed fifteen (15) years from the date first above written or until the latecomers fee is paid in full, whichever is sooner.

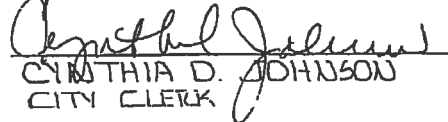
8. Recording:

This agreement shall not be enforceable against any part unless Developer has caused the same to be filed and recorded with the Benton County Auditor pursuant to RCW 35.91.020.

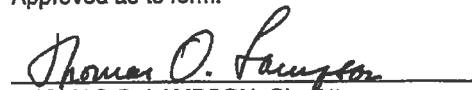
IN WITNESS WHEREOF, the parties hereto have executed this agreement in duplicate the day and year first above written.

CITY OF RICHLAND


JOHN C. DARRINGTON, City Manager


CYNTHIA D. JOHNSON
CITY CLERK

Approved as to form:


THOMAS O. LAMPSON, City Attorney

DEVELOPER

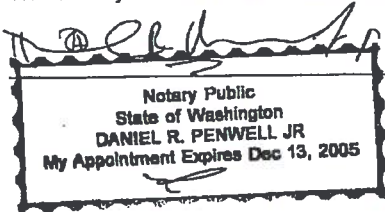

Milo Bauder Date


Mark Bauder Date

STATE OF WASHINGTON)
) :ss
COUNTY OF BENTON)

On this 02 day of DEC, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MILO BAUDER and MARK BAUDER, to me known to be the individuals that executed the foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day and year first above written.



Notary Public in and for the State of Washington; residing at ICENUB
My commission expires: 12-13-04
Print name: DANIEL R. PENWELL JR

STATE OF WASHINGTON)
) :ss
COUNTY OF BENTON)

On this 3rd day of December, 2004, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared JOHN C. DARRINGTON and CYNTHIA D. JOHNSON, to me known to be the CITY MANAGER and CITY CLERK, respectively, of the CITY OF RICHLAND, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above written.

Ellen E. Kuklinski



Notary Public in and for the State of Washington; residing at Richland
My commission expires: 5/21/08
Print name: Ellen E. Kuklinski



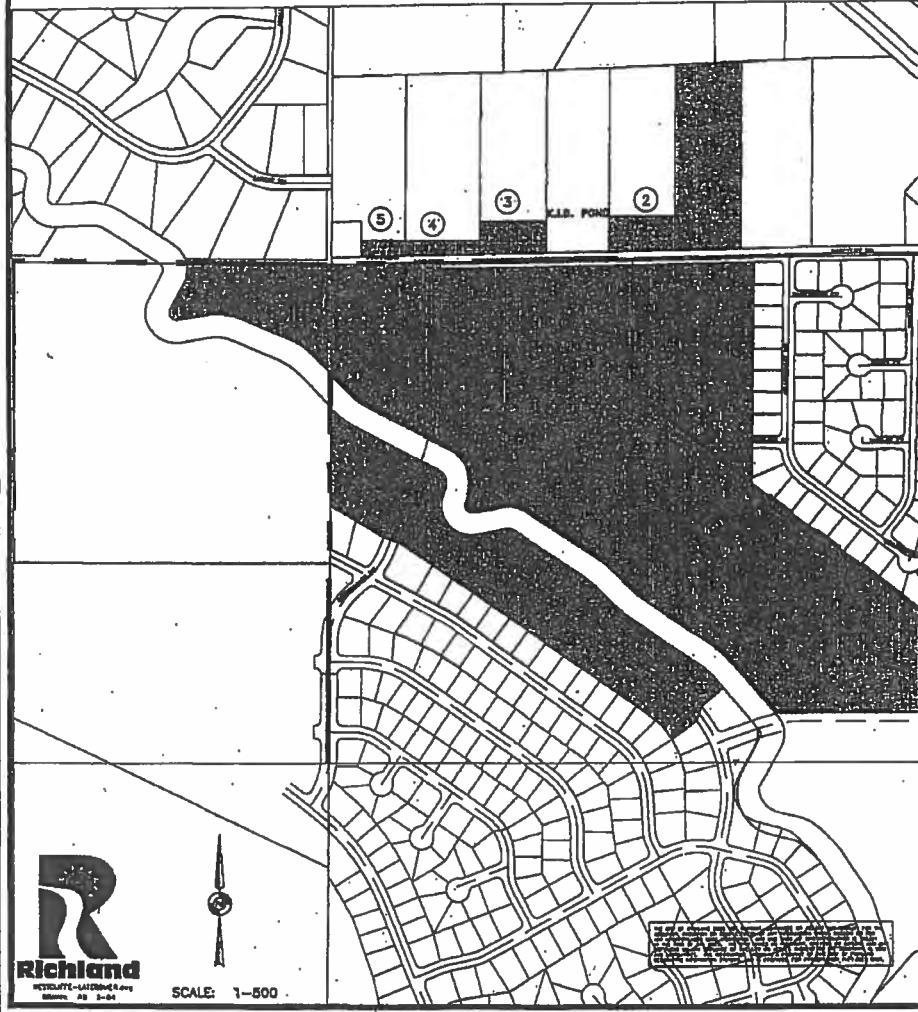
2004-042291
Pg: 5 of 5
12/03/2004 11:03A
Benton County

CITY OF RICHLAND

AGR

23.00

WESTCLIFFE / LATECOMER AGREEMENT PARCEL MAP EXHIBIT A



WHEN RECORDED RETURN TO:

City of Richland
City Engineer
P.O. Box 190
Richland, WA. 99352

MUNICIPAL SEWER FACILITIES ACT AGREEMENT

PARCEL I.D. NUMBERS 1-2298-300-0006-004
1-2298-300-0006-003
1-2298-300-0006-001
1-2298-300-0004-001
1-2298-300-0003-002
1-2798-201-1760-008
1-2798-200-0002-001
1-2798-200-0009-000
1-2798-200-0004-000
1-2798-200-0010-000
1-2798-200-0008-000
1-2898-100-0001-000

This agreement made this 2nd day of December, 2004 between the City of Richland, Washington, a municipal corporation, hereinafter called the "City" and Milo and Mark Bauder, hereinafter called the "Developer".

WITNESS THAT:

In consideration of the construction of a domestic sewer main in the City of Richland, and the Developer's making said sewer main a part of the City sewer collection system and mutual agreements herein contained, the parties do agree as follows:

1. Purpose:

This agreement is made pursuant to the Municipal Water and Sewer Facilities Act Laws of 1959, Chapter 261 (CH. 35.91 RCW). The Developer has constructed an off-site 8-inch domestic sewer main to serve property owned by the developer (i.e. the Westcliffe Subdivision), and will serve other properties as shown on the attached map (Exhibit A).

2. Sewer Main – Acceptance by City:

The City has approved the construction of, and will accept as a facility of the City and as a portion of its sewer collection system upon completion of its construction, and after it has been inspected and tested. The City agrees to bear all further maintenance and operation costs of said sewer line.

3. Cost of Sewer Main:

The Developer has presented to the City Engineer, documentation showing the construction cost of said sewer main, and the City Engineer has reviewed the documents submitted; and it is agreed that the cost of said off-site sewer main construction is \$42,376.00.

4. Payments required by adjacent property owner (as identified in attached Exhibit A):

The City hereby agrees that none of the noted properties will be authorized to connect into or use said sewer line without first paying to the City, in addition to any and all other costs and charges made and assessed for such tap or use, their fair prorated share of the cost for the construction of the sewer facility as hereinafter determined.

5. **Determination of Fair Share:**

The total cost of the sewer main shall be divided on a per acre basis between the noted parcels. Given the accepted cost of the installed main and the number of serviceable acres, the cost was calculated to be \$502.08 per acre. The amount to be repaid shall be subjected to a 3% inflation factor applied yearly from the date of acceptance of this agreement. The assignment of costs under this agreement shall be as follows:

MAP NUMBER	PARCEL	ACREAGE	COST**
1	Tax I.D. # 1-2298-300-0006-004	5.10	2,552.34
2	Tax I.D. # 1-2298-300-0006-003	0.95	475.92
3	Tax I.D. # 1-2298-300-0006-001	0.89	433.54
4	Tax I.D. # 1-2298-300-0004-001	0.43	221.68
5	Tax I.D. # 1-2298-300-0003-002	0.29	136.91
6	Tax I.D. # 1-2798-201-1760-008	4.30	2,170.96
7	Tax I.D. # 1-2798-200-0002-001	4.50	2,255.71
8	Tax I.D. # 1-2798-200-0009-000	28.70	14,417.62
9	Tax I.D. # 1-2798-200-0004-000	8.40	4,205.00
10	Tax I.D. # 1-2798-200-0010-000	6.00	3,018.48
11	Tax I.D. # 1-2798-200-0008-000*	7.00	3,526.99
12	Tax I.D. # 1-2898-100-0001-000*	4.20	2,086.20
13	Westcliffe, phase 1*	13.64	6,874.69
	Total acreage	84.40	\$42,376.00

* These properties are exempt from latecomer charges

** The amount to be repaid shall be subjected to a 3% inflation factor applied yearly from the date of acceptance of this agreement

6. **Repayment:**

The City agrees to pay to the Developer within sixty (60) days after receipt, any sums received from "others" during the term of this agreement as their pro rata share of the cost of said sewer main. No transfer or assignment of the right to receive any such payments shall be binding upon the City unless it has received notice in writing of such transfer or assignment, and any such payment to the Developer or other persons shown in the City records as entitled to receive such payment before receipt of such notice shall discharge the City of its obligation under this paragraph to the extent of such payment.

7. **Term:**

This agreement shall continue in force and effect for a period not to exceed fifteen (15) years from the date first above written or until the latecomers fee is paid in full, whichever is sooner.

8. **Recording:**

This agreement shall not be enforceable against any part unless Developer has caused the same to be filed and recorded with the Benton County Auditor pursuant to RCW 35.91.020.

IN WITNESS WHEREOF, the parties hereto have executed this agreement in duplicate the day and year first above written.

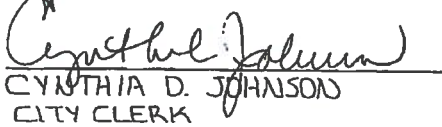
CITY OF RICHLAND

DEVELOPER


JOHN C. DARRINGTON, City Manager

Milo Bauder

12-2-04
Date


CYNTHIA D. JOHNSON
CITY CLERK

Mark Bauder

12-2-04
Date

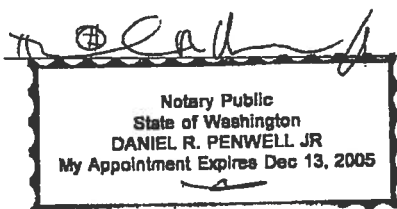
Approved as to form:


THOMAS O. LAMPSON, City Attorney

STATE OF WASHINGTON)
) :ss
COUNTY OF BENTON)

On this 02 day of Dec, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MILO BAUDER and MARK BAUDER, to me known to be the individuals that executed the foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day and year first above written.



Notary Public in and for the State of Washington; residing at Kennewick
My commission expires: 12-13-05
Print DANIEL R. PENWELL JR name:

STATE OF WASHINGTON)
) :ss
COUNTY OF BENTON)

On this 3rd day of December, 2004, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared JOHN C. DARRINGTON and CYNTHIA D. JOHNSON, to me known to be the CITY MANAGER and CITY CLERK, respectively, of the CITY OF RICHLAND, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

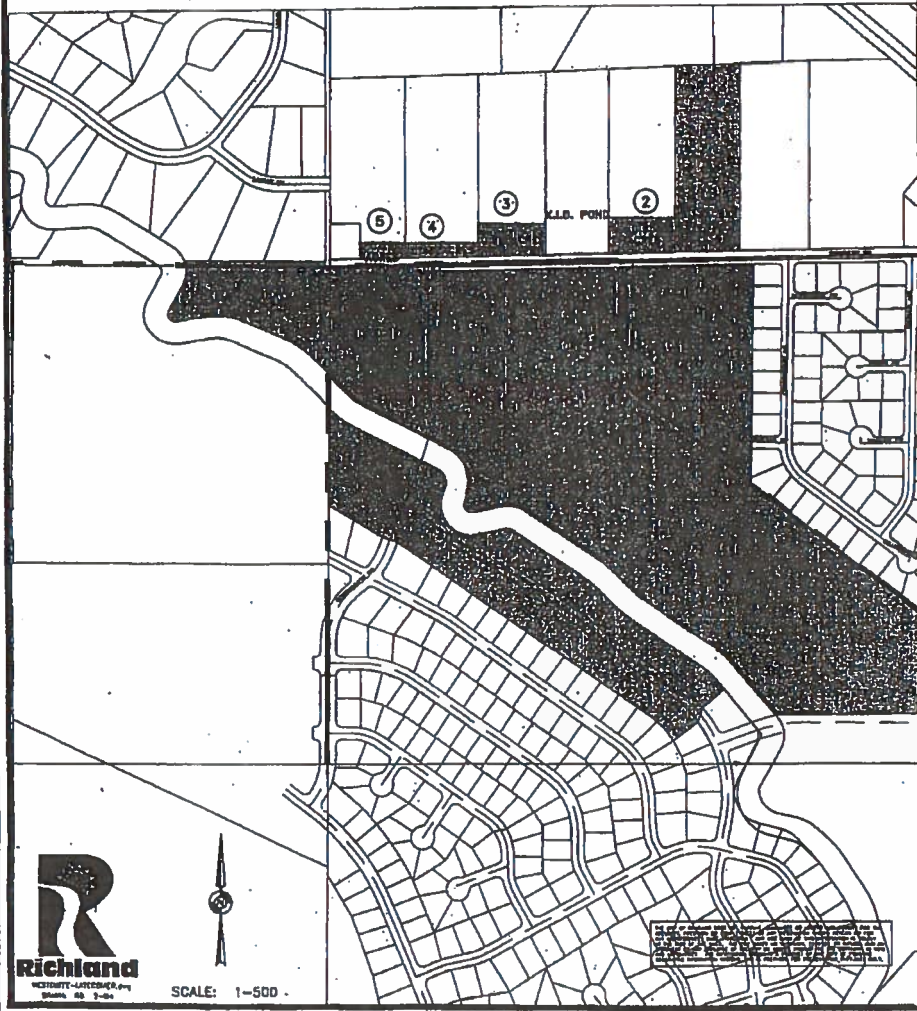
Witness my hand and official seal hereto affixed the day and year first above written.

Ellen E. Kuklinski



Notary Public in and for the State of Washington; residing at Richland
My commission expires: 5/21/08
Print Ellen E. Kuklinski name:

WESTCLIFFE / LATECOMER AGREEMENT PARCEL MAP EXHIBIT A





WHEN RECORDED RETURN TO:

City of Richland
City Engineer
P.O. Box 190
Richland, WA. 99352

MUNICIPAL SEWER FACILITIES ACT AGREEMENT

PARCEL I.D. NUMBERS 1-2298-300-0006-004
 1-2298-300-0006-003
 1-2298-300-0006-001
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 1-2798-201-1760-008
 1-2798-200-0002-001
 1-2798-200-0009-000
 1-2798-200-0004-000
 1-2798-200-0010-000
 1-2798-200-0008-000
 1-2898-100-0001-000

This agreement made this 26 day of March, 2004 between the City of Richland, Washington, a municipal corporation, hereinafter called the "City" and Milo and Mark Bauder, hereinafter called the "Developer".

WITNESS THAT:

In consideration of the construction of a domestic sewer main in the City of Richland, and the Developer's making said sewer main a part of the City sewer collection system and mutual agreements herein contained, the parties do agree as follows:

1. Purpose:

This agreement is made pursuant to the Municipal Water and Sewer Facilities Act Laws of 1959, Chapter 261 (CH. 35.91 RCW). The Developer has constructed an off-site 8-inch domestic sewer main to serve property owned by the developer (i.e. the Westcliffe Subdivision), and will serve other properties as shown on the attached map (Exhibit A).

2. Sewer Main – Acceptance by City:

The City has approved the construction of, and will accept as a facility of the City and as a portion of its sewer collection system upon completion of its construction, and after it has been inspected and tested. The City agrees to bear all further maintenance and operation costs of said sewer line.

3. Cost of Sewer Main:

The Developer has presented to the City Engineer, documentation showing the construction cost of said sewer main, and the City Engineer has reviewed the documents submitted; and it is agreed that the cost of said off-site sewer main construction is \$42,376.00.

4. Payments required by adjacent property owner (as identified in attached Exhibit A):

The City hereby agrees that none of the noted properties will be authorized to connect into or use said sewer line without first paying to the City, in addition to any and all other costs and charges made and assessed for such tap or use, their fair prorated share of the cost for the construction of the sewer facility as hereinafter determined.

5. Determination of Fair Share:

The total cost of the sewer main shall be divided on a per acre basis between the noted parcels. Given the accepted cost of the installed main and the number of serviceable acres, the cost was calculated to be \$502.08 per acre. The amount to be repaid shall be subjected to a 3% inflation factor applied yearly from the date of acceptance of this agreement. The assignment of costs under this agreement shall be as follows:

MAP NUMBER	PARCEL	ACREAGE	COST**
1	Tax I.D. # 1-2298-300-0006-004	5.10	2,552.34
2	Tax I.D. # 1-2298-300-0006-003	0.95	475.92
3	Tax I.D. # 1-2298-300-0006-001	0.89	433.54
4	Tax I.D. # 1-2298-300-0004-001	0.43	221.66
5	Tax I.D. # 1-2298-300-0003-002	0.29	136.91
6	Tax I.D. # 1-2798-201-1760-008	4.30	2,170.96
7	Tax I.D. # 1-2798-200-0002-001	4.50	2,255.71
8	Tax I.D. # 1-2798-200-0009-000	28.70	14,417.62
9	Tax I.D. # 1-2798-200-0004-000	8.40	4,205.00
10	Tax I.D. # 1-2798-200-0010-000	6.00	3,018.48
11	Tax I.D. # 1-2798-200-0008-000*	7.00	3,526.99
12	Tax I.D. # 1-2698-100-0001-000*	4.20	2,086.20
13	Westcliffe, phase 1*	13.64	6,874.69
	Total acreage	84.40	\$42,376.00

* These properties are exempt from latecomer charges

** The amount to be repaid shall be subjected to a 3% inflation factor applied yearly from the date of acceptance of this agreement

6. Repayment:

The City agrees to pay to the Developer within sixty (60) days after receipt, any sums received from "others" during the term of this agreement as their pro rata share of the cost of said sewer main. No transfer or assignment of the right to receive any such payments shall be binding upon the City unless it has received notice in writing of such transfer or assignment, and any such payment to the Developer or other persons shown in the City records as entitled to receive such payment before receipt of such notice shall discharge the City of its obligation under this paragraph to the extent of such payment.

7. Term:

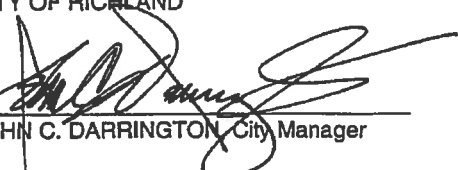
This agreement shall continue in force and effect for a period not to exceed fifteen (15) years from the date first above written or until the latecomers fee is paid in full, whichever is sooner.

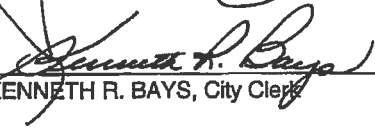
8. Recording:

This agreement shall not be enforceable against any part unless Developer has caused the same to be filed and recorded with the Benton County Auditor pursuant to RCW 35.91.020.

IN WITNESS WHEREOF, the parties hereto have executed this agreement in duplicate the day and year first above written.

CITY OF RICHLAND


JOHN C. DARRINGTON, City Manager


KENNETH R. BAYS, City Clerk

DEVELOPER


Milo Bauder

Date


Mark Bauder

Date

Approved as to form:


THOMAS O. LAMPSON, City Attorney

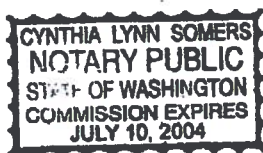
STATE OF WASHINGTON)

COUNTY OF BENTON)

On this 03 day of MARCH, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MILO BAUDER and MARK BAUDER, to me known to be the individuals that executed the foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day and year first above written.

Cynthia Lynn Somers



Notary Public in and for the State of Washington; residing at Kennelworth
My commission expires: July 10, 2004
Print Cynthia Lynn Somers name:

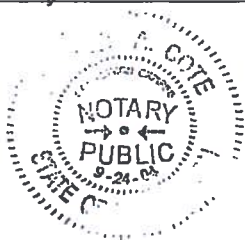
STATE OF WASHINGTON)

COUNTY OF BENTON)

On this 24th day of March, 2004, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared JOHN C. DARRINGTON and KENNETH R. BAYS, to me known to be the CITY MANAGER and CITY CLERK, respectively, of the CITY OF RICHLAND, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above written.

Marilyn A. Cote



Notary Public in and for the State of Washington; residing at Kennelworth
My commission expires: 9/24/04
Print MARILYN A. COTE name:



CITY OF RICHLAND

AGR

23.00

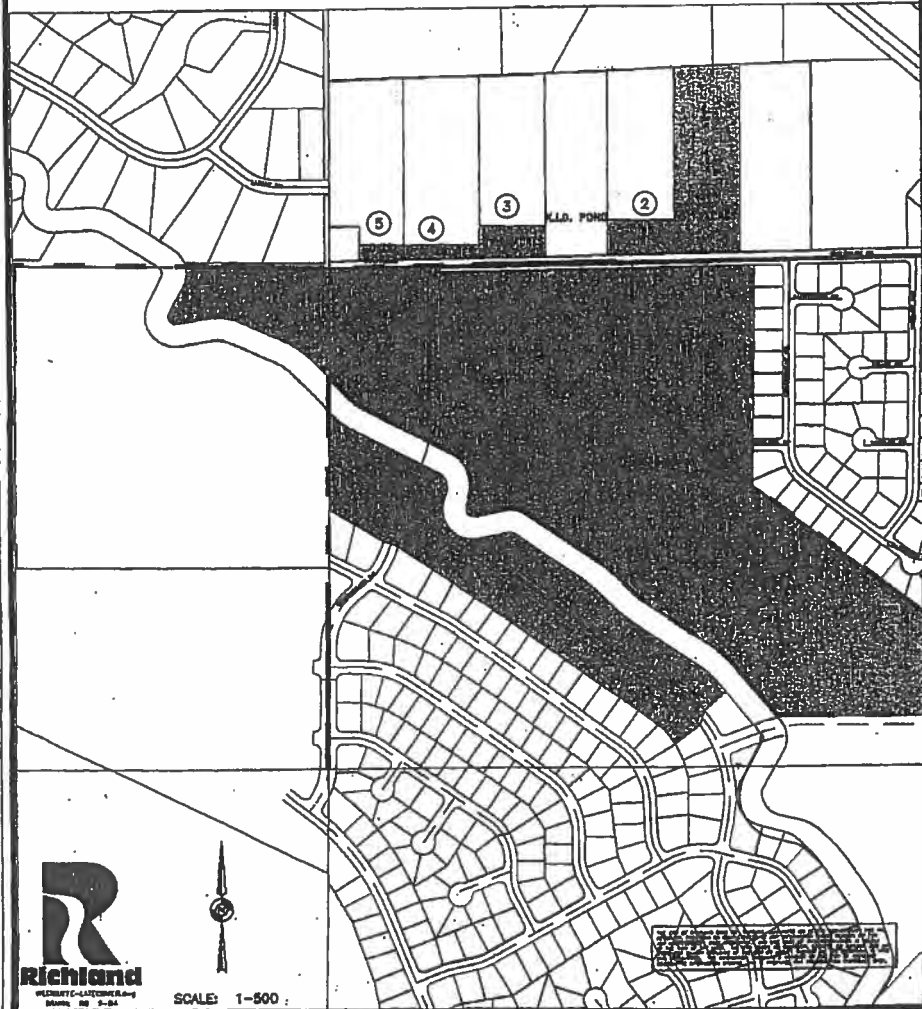
2005-007279

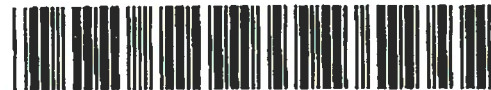
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Benton County

WESTCLIFFE / LATECOMER AGREEMENT PARCEL MAP EXHIBIT A





2005-042552
Pg: 1 of 7
12/12/2005 10:39A
38.00 Benton County

**FILED FOR RECORD AT REQUEST OF:
AFTER RECORDING RETURN TO:**

Bruce A. Spanner
MILLER, MERTENS & SPANNER, P.L.L.C.
1020 N. Center Parkway, Suite B
Kennewick, WA 99336

EXCISE TAX NOT REQUIRED
BENTON COUNTY EXCISE TAX DIVISION

BY *[Signature]* DEPUTY

Grantor(s): Dennis Cosens and Connie Cosens, husband and wife

Grantee(s): Bethel Church

Abbreviated Legal Description: Portions of Section 22, T 9 North, R 28 East, Benton County, Washington. (Additional Legal Description on Pages 4 and 5)

Assessor's Property Tax Parcel/Account No.: 1-2298-300-0006-002; 1-2298-300-0006-003; 1-2298-300-0006-004; 1-2298-300-0006-005; 12298-300-0007-000; 1-2298-300-0009-002

EASEMENT

AS A DONOATION, the Grantors, DENNIS COSENS and CONNIE COSENS, husband and wife, hereby grant and convey to the BETHEL CHURCH, its heirs, executors, administrators and assigns, an easement for ingress and egress over and across the a portion of Grantors' real property, said property being situated in Benton County, State of Washington, and described as follows:

SEE EXHIBIT "A"

This Easement shall be located within that portion of Grantors' property identified in the map attached hereto as EXHIBIT "B", and the roadway located therein shall be a total of 30 feet in width (comprised of a paved roadway 24 feet in width and shoulders 3 feet in width on either side of the roadway), and shall be located as close as practicable to the western boundary of Grantors' property.

This Easement shall be for the purpose of ingress and egress to the following-described property situated in Benton County, State of Washington, and shall be appurtenant and shall run with the real property situated in Benton County, State of Washington, and described as follows:

SEE EXHIBIT "C"

The Grantee, for itself, its heirs, administrators, executors and assigns, hereby covenants and agrees to construct and maintain a paved roadway in a reasonably passable condition, and to bear all expenses and costs associated therewith. The easement shall exist until terminated as set forth herein



2005-042552

Pg: 2 of 7

12/12/2005 10:39A

MILLER MERTENS & SPA EAS

38.00 Benton County

and shall be for the use of Bethel Church, its successors, assigns, elders, staff, members, visitors, attendees and guests. Grantee covenants to construct a gate across the easement in close proximity to Keene road, which gate shall remain closed except to allow ingress and egress for Sunday services and other church-sponsored events. If Grantee places a lock on the gate, Grantors shall be provided a key. This Easement shall be extinguished if and when the City of Richland completes the development and construction of the extension of Queensgate Road to Shockley Drive. In addition, Bethel church may extinguish this easement at any time in its sole discretion. In the event the easement is extinguished, Grantee shall, if requested by Grantor, remove the asphalt it its sole expense.

DATED this 6 day of Dec, 2005.

Dennis Cosens
DENNIS COSENS

Connie Cosens
CONNIE COSENS

BETHEL CHURCH

By: [Signature]

BOB BONNER, Executive Pastor

STATE OF WASHINGTON)

) ss.

COUNTY OF BENTON)

On this day personally appeared before me DENNIS COSENS and CONNIE COSENS to me known to be the individuals named herein and who executed the within and foregoing EASEMENT, and acknowledged the said instrument to be their free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 6th day of Dec, 2005.



[Signature]
Notary Public in and for the
State of Washington, residing
at Passo
My Commission expires: 12-19-08



2005-042552
Pg: 3 of 7
12/12/2005 10:39A

STATE OF WASHINGTON

)

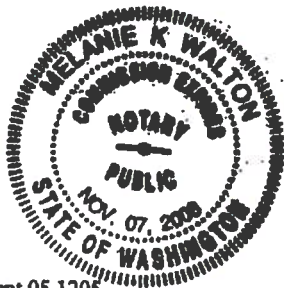
) ss.

COUNTY OF BENTON

)

On this day personally appeared before me BOB BONNER to me known to be the Executive Director of Bethel Church, the Grantee named herein and who, with authority to do so, executed the within and foregoing EASEMENT, and acknowledged the said instrument to be their free and voluntary act and deed of Bethel Church, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 7th day of December, 2005.



Melanie K Walton

Notary Public in and for the
State of Washington, residing

at Kennelworth

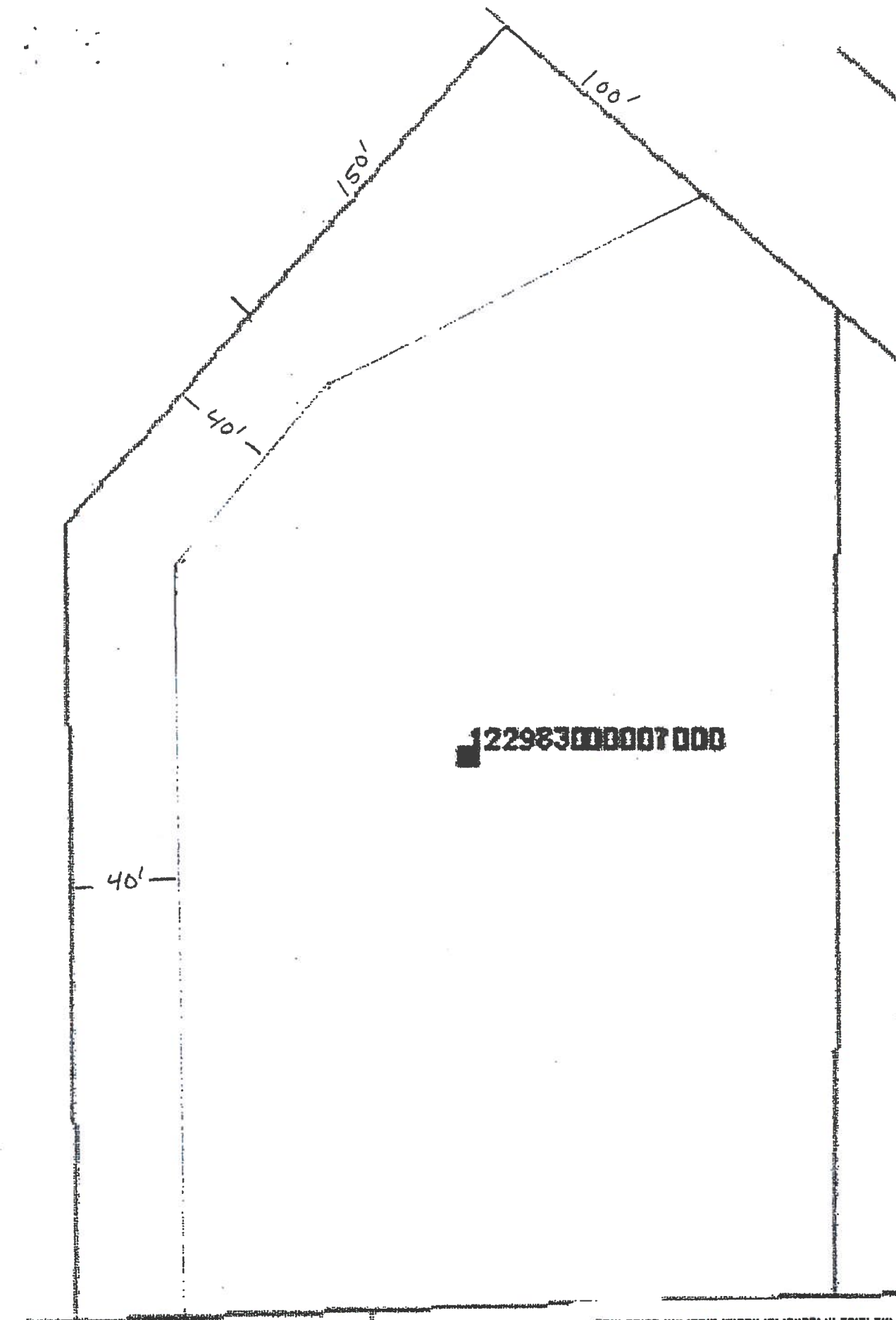
My Commission expires: 11-7-08

B04026\Easement 05 1205

EXHIBIT "A"
LEGAL DECIPTION OF PROPERTY OF COSENS

Commencing at the Southwest corner of Section 22, thence North along the West line of said Section 22, a distance on 826.90 feet, thence Easterly parallel with the South line of said Section a distance of 1639.50 feet, thence Northerly at right angles a distance of 316.21 feet, thence Northeasterly along a line perpendicular to the Southwesterly right of way line of Keene Road a distance of 265.95 feet more or less, thence Southeasterly along the Southwesterly right of way line of Keene Road to a point which lies 2389.40 feet from the west line and 826.90 feet North of the South line of said Section 22, thence Westerly 750 feet more or less to the true point of beginning, updated to survey # 1098 recorded 4-20-78 less the portion commencing at the Southwest corner of Section 22, thence North along the West line of said Section 22 a distance of 826.90 feet, thence Easterly parallel with the South line of said Section 22, a distance of 1939.40 feet to the true point of beginning, thence Northwesterly at right angles a distance of 400 feet, more or less, to the Southwesterly right of way line of Keene Road, thence Southeasterly along the Southwesterly right of way line of Keene Road to a point which lies 2389.40 feet from the West line of said Section 22 and 826.90 feet North of the South line of said Section 22, thence Westerly 450 feet, more or less, to the true point of beginning:
Description change per requisition of First Federal Saving and Loan Association 11-29-78.

Parcel ID# 1-2298-300-0007-000



122983000007000

EXHIBIT B



2005-042552
Pg: 5 of 7
12/12/2005 10:39A
38.00 Benton County

MILLER MERTENS & SPA EAS



MILLER HERTENS & SPA EAS

38.00

2005-042552
Pg: 6 of 7
12/12/2005 10:39A
Benton County

EXHIBIT "C"
LEGAL DESCRIPTION OF PROPERTY OF BETHEL CHURCH

PARCEL A:

The West 286.37 feet of the East 1131.63 feet of that portion of the West 2054.40 feet of the Southwest quarter of Section 22, Township 9 North, Range 28 East, W.M., Benton County, Washington, lying South of the following described line:

Beginning at a point on the West line of said Section distant 797.55 feet North of the Southwest corner thereof; thence East parallel with the South line of said Section 733 feet; thence Easterly in a straight line to a point on the East line of said West 2054.40 feet which is 827.10 feet North of the South line of said Section and the terminus of said described line; except the South 30 feet thereof for road.

Parcel ID # 1-2298-300-0006-002

PARCEL B:

The West 284.02 feet of the East 845.31 feet of that portion of the West 2054.40 feet of the Southwest quarter of Section 22, Township 9 North, Range 28 East, W.M., Benton County, Washington, lying South of the following described line:

Beginning at a point on the West line of said Section distant 797.55 feet North of the Southwest corner thereof; thence East parallel with the South line of said Section 733 feet; thence Easterly in a straight line to a point on the East line of said West 2054.40 feet which is 827.10 feet North of the South line of said Section and the terminus of said described line; except the South 30 feet thereof for road.

Parcel ID # 1-2298-300-0006-003

PARCEL C:

The West 281.75 feet of the East 561.29 feet of that portion of the West 2054.40 feet of the Southwest quarter of Section 22, Township 9 North, Range 28 East, W.M., Benton County, Washington, lying South of the following described line:

Beginning at a point on the West line of said Section distant 797.55 feet North of the Southwest corner thereof; thence East parallel with the South line of said Section 733 feet; thence Easterly in a straight line to a point on the East line of said West 2054.40 feet which is 827.10 feet North of the South line of said Section and the terminus of said described line; except the South 30 feet thereof for road.

Parcel ID # 1-2298-300-0006-004



2005-042552
Pg: 7 of 7
12/12/2005 10:39A
38.00 Benton County

MILLER MERTENS & SPA EAS

PARCEL D:

The East 279.54 feet of that portion of the West 2054.40 feet of the Southwest quarter of Section 22, Township 9 North, Range 28 East, W.M., Benton County, Washington, lying South of the following described line:

Beginning at a point on the West line of said Section distant 797.55 feet North of the Southwest corner thereof; thence East parallel with the South line of said Section 733 feet; thence Easterly in a straight line to a point on the East line of said West 2054.40 feet which is 827.10 feet North of the South line of said Section and the terminus of said described line; except the South 30 feet thereof for road.

Parcel ID # 1-2298-300-0006-005

PARCEL E:

That portion of the South half of Section 22, Township 9, Range 28 East, W.M., Benton County, Washington, described as follows:

Beginning at the Southeast corner of the Southwest quarter of the Southeast quarter of said Section 22; thence North $89^{\circ}53'20''$ West, 609.28 feet along the South line of said Section 22 to its intersection with the Southwesterly right of way line of Keene Road; thence North $48^{\circ}25'56''$ West, 45.31 feet along said Southwesterly line to the North right of way line of Shockley Road; thence North $89^{\circ}53'20''$ West, 859.14 feet along said North line to the True Point of Beginning, thence continuing North $89^{\circ}53'20''$ West, 398.03 feet along said North line to a point on the East line of the West 2054.4 feet of said South half of Section 22, thence North $1^{\circ}22'48''$ East, 797.10 feet along said East line to a point on the North line of the South 826.9 feet of said Section 22. Thence South $89^{\circ}53'20''$ East 337.42 feet along said North line to the Southwesterly right of way line of Keene Road, thence South $48^{\circ}26'56''$ East 410.68 feet along said right of way line, thence South $41^{\circ}34'04''$ West, 400 feet. Thence South $0^{\circ}06'40''$ West, 225.23 feet to the True Point of Beginning, subject to easements, reservations and restrictions recorded under Auditor's File No. 95-13803, records of Benton County, Washington.

Parcel ID # 1-2298-300-0009-002



RETURN ADDRESS:

Banner Bank
Bothell Loan Service
Center
P.O. Box 1589
Bothell, WA 98041

TRI-CITY TITLE & ESCROW

13-14841 KLL

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DEED OF TRUST

DATE: November 7, 2013

Reference # (if applicable): _____

Additional on page _____

Grantor(s):

1. Bethel Church of Richland, Washington

Grantee(s)

1. Banner Bank
2. Tri-City Title & Escrow, Trustee

Legal Description: Portion of S2S2SW and S2SWSE of 22-9-28

Additional on page 10

Assessor's Tax Parcel ID#:

1-2298-400-0005-000; 1-2298-300-0009-003; 1-2298-400-0009-003;
1-2298-300-0006-002; 1-2298-300-0006-003

THIS DEED OF TRUST is dated November 7, 2013, among Bethel Church of Richland, Washington, who acquired title as Bethel Church, a Washington non-profit corporation; whose address is 600 Shockley Road, Richland, WA 99352 ("Grantor"); Banner Bank, whose mailing address is Tri-Cities Commercial Banking Center, 8203 W. Quinault Ste 500, Kennewick, WA 99336 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and Tri-City Title & Escrow, whose mailing address is 8131 W. Grandridge Blvd., Ste. 100, Kennewick, WA 99336 (referred to below as "Trustee").

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CONVEYANCE AND GRANT. For valuable consideration, Grantor conveys to Trustee in trust with power of sale, right of entry and possession and for the benefit of Lender as Beneficiary, all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, (the "Real Property") located in Benton County, State of Washington:

See Exhibit A, which is attached to this Deed of Trust and made a part of this Deed of Trust as if fully set forth herein.

The Real Property or its address is commonly known as 600 and 626 Shockley Road, Richland, WA 99352. The Real Property tax identification number is 1-2298-400-0005-000; 1-2298-300-0009-003; 1-2298-400-0009-003; 1-2298-300-0006-002; 1-2298-300-0006-003.

CROSS-COLLATERALIZATION. In addition to the Note, this Deed of Trust secures the following described additional indebtedness: all obligations, debts and liabilities, plus interest thereon, of Grantor to Lender, or any one or more of them, as well as all claims by Lender against Grantor or any one or more of them, whether now existing or hereafter arising, whether related or unrelated to the purpose of the Note, whether voluntary or otherwise, whether due or not due, direct or indirect, determined or undetermined, absolute or contingent, liquidated or unliquidated, whether Grantor may be liable individually or jointly with others, whether obligated as guarantor, surety, accommodation party or otherwise, and whether recovery upon such amounts may be or hereafter may become barred by any statute of limitations, and whether the obligation to repay such amounts may be or hereafter may become otherwise unenforceable. Specifically, without limitation, this Agreement secures all obligations of Grantor arising under any interest rate, credit, commodity or equity swap, cap, floor, collar, forward foreign exchange transaction, currency swap, cross currency rate swap, currency option, securities puts, calls, collars, options or forwards or any combination of, or option with respect to, these or similar transactions now or hereafter entered into between Grantor and Lender.

Grantor hereby assigns as security to Lender, all of Grantor's right, title, and interest in and to all leases, Rents, and profits of the Property. This assignment is recorded in accordance with RCW 65.08.070; the lien created by this assignment is intended to be specific, perfected and choate upon the recording of this Deed of Trust. Lender grants to Grantor a license to collect the Rents and profits, which license may be revoked at Lender's option and shall be automatically revoked upon acceleration of all or part of the indebtedness. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

THIS DEED OF TRUST, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THE NOTE, THE RELATED DOCUMENTS, AND THIS DEED OF TRUST. THIS DEED OF TRUST IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:

PAYMENT AND PERFORMANCE. Except as otherwise provided in this Deed of Trust, Grantor shall pay to Lender all amounts secured by this Deed of Trust as they become due, and shall strictly and in a timely manner perform all of Grantor's obligations under the Note, this Deed of Trust, and the Related Documents.

POSSESSION AND MAINTENANCE OF THE PROPERTY. Grantor agrees that Grantor's possession and use of the Property shall be governed by the following provisions:

Possession and Use. Until the occurrence of an Event of Default, Grantor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Rents from the Property (this privilege is a license from Lender to Grantor automatically revoked upon default). The following provisions relate to the use of the Property or to other limitations on the Property. The Real Property is not used principally for agricultural purposes.

Duty to Maintain. Grantor shall maintain the Property in tenantable condition and promptly perform all repairs, replacements, and maintenance necessary to preserve its value.

Nuisance, Waste. Grantor shall not cause, conduct or permit any nuisance nor commit, permit, or suffer any stripping of or waste on or to the Property or any portion of the Property. Without limiting the generality of the foregoing, Grantor will not remove, or grant to any other party the right to remove, any timber, minerals (including oil and gas), coal, clay, scoria, soil, gravel or rock products without Lender's prior written consent.

Removal of Improvements. Grantor shall not demolish or remove any improvements from the Real Property without Lender's prior written consent. As a condition to the removal of any improvements, Lender may require Grantor to make arrangements satisfactory to Lender to replace such improvements with improvements of at least equal value.

Lender's Right to Enter. Lender and Lender's agents and representatives may enter upon the Real Property at all reasonable times to attend to Lender's interests and to inspect the Real Property for purposes of Grantor's compliance with the terms and conditions of this Deed of Trust.

Compliance with Governmental Requirements. Grantor shall promptly comply, and shall promptly cause compliance by all agents, tenants or other persons or entities of every nature whatsoever who rent, lease or otherwise use or occupy the Property in any manner, with all laws, ordinances, and regulations, now or hereafter in effect, of all governmental authorities applicable to the use or occupancy of the Property, including without limitation, the Americans With Disabilities Act. Grantor may contest in good faith any such law, ordinance, or regulation and withhold compliance during any proceeding, including appropriate appeals, so long as Grantor has notified Lender in writing prior to doing so and so long as, in Lender's sole opinion, Lender's interests in the Property are not jeopardized. Lender may require Grantor to post adequate security or a surety bond, reasonably satisfactory to Lender, to protect Lender's interest.

Duty to Protect. Grantor agrees neither to abandon or leave unattended the Property. Grantor shall do all other acts, in addition to those acts set forth above in this section, which from the character and use of the Property are reasonably necessary to protect and preserve the Property.

DUPLICATE - CONSENT BY LENDER. Lender may, at Lender's option, (A) declare immediately due and payable all sums secured by this Deed of Trust or (B) increase the interest rate provided for in the Note or other document evidencing the indebtedness and impose such other conditions as Lender deems appropriate, upon the sale or transfer, without Lender's prior written consent, of all or any part of the Real Property, or any interest in the Real Property. A "sale or transfer" means the conveyance of Real Property or any right, title or interest in the Real Property; whether

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legal, beneficial or equitable; whether voluntary or involuntary; whether by outright sale, deed, installment sale contract, land contract, contract for deed, leasehold interest with a term greater than three (3) years, lease-option contract, or by sale, assignment, or transfer of any beneficial interest in or to any land trust holding title to the Real Property, or by any other method of conveyance of an interest in the Real Property. If any Grantor is a corporation, partnership or limited liability company, transfer also includes any change in ownership of more than twenty-five percent (25%) of the voting stock, partnership interests or limited liability company interests, as the case may be, of such Grantor. However, this option shall not be exercised by Lender if such exercise is prohibited by federal law or by Washington law.

TAXES AND LIENS. The following provisions relating to the taxes and liens on the Property are part of this Deed of Trust:

Payment. Grantor shall pay when due (and in all events prior to delinquency) all taxes, special taxes, assessments, charges (including water and sewer), fines and impositions levied against or on account of the Property, and shall pay when due all claims for work done on or for services rendered or material furnished to the Property. Grantor shall maintain the Property free of all liens having priority over or equal to the interest of Lender under this Deed of Trust, except for the lien of taxes and assessments not due and except as otherwise provided in this Deed of Trust.

Right to Contest. Grantor may withhold payment of any tax, assessment, or claim in connection with a good faith dispute over the obligation to pay, so long as Lender's interest in the Property is not jeopardized. If a lien arises or is filed as a result of nonpayment, Grantor shall within fifteen (15) days after the lien arises or, if a lien is filed, within fifteen (15) days after Grantor has notice of the filing, secure the discharge of the lien, or if requested by Lender, deposit with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender in an amount sufficient to discharge the lien plus any costs and attorneys' fees, or other charges that could accrue as a result of a foreclosure or sale under the lien. In any contest, Grantor shall defend itself and Lender and shall satisfy any adverse judgment before enforcement against the Property. Grantor shall name Lender as an additional obligee under any surety bond furnished in the contest proceedings.

Evidence of Payment. Grantor shall upon demand furnish to Lender satisfactory evidence of payment of the taxes or assessments and shall authorize the appropriate governmental official to deliver to Lender at any time a written statement of the taxes and assessments against the Property.

Notice of Construction. Grantor shall notify Lender at least fifteen (15) days before any work is commenced, any services are furnished, or any materials are supplied to the Property, if any mechanic's lien, materialmen's lien, or other lien could be asserted on account of the work, services, or materials. Grantor will upon request of Lender furnish to Lender advance assurances satisfactory to Lender that Grantor can and will pay the cost of such improvements.

PROPERTY DAMAGE INSURANCE. The following provisions relating to insuring the Property are a part of this Deed of Trust.

Maintenance of Insurance. Grantor shall procure and maintain policies of fire insurance with standard extended coverage endorsements on a replacement basis for the full insurable value covering all improvements on the Real Property in an amount sufficient to avoid application of any coinsurance clause, and with a standard mortgagee clause in favor of Lender. Grantor shall also procure and maintain comprehensive general liability insurance in such coverage amounts as Lender may request with Trustee and Lender being named as additional insureds in such liability insurance policies. Additionally, Grantor shall maintain such other insurance, including but not limited to hazard, business interruption, and boiler insurance, as Lender may reasonably require. Policies shall be written in form, amounts, coverages and basis reasonably acceptable to Lender and issued by a company or companies reasonably acceptable to Lender. Grantor, upon request of Lender, will deliver to Lender from time to time the policies or certificates of insurance in form satisfactory to Lender, including stipulations that coverages will not be cancelled or diminished without at least ten (10) days prior written notice to Lender. Each insurance policy also shall include an endorsement providing that coverage in favor of Lender will not be impaired in any way by any act, omission or default of Grantor or any other person. Should the Real Property be located in an area designated by the Director of the Federal Emergency Management Agency as a special flood hazard area, Grantor agrees to obtain and maintain Federal Flood Insurance, if available, within 45 days after notice is given by Lender that the Property is located in a special flood hazard area, for the full unpaid principal balance of the loan and any prior liens on the property securing the loan, up to the maximum policy limits set under the National Flood Insurance Program, or as otherwise required by Lender, and to maintain such insurance for the term of the loan.

Application of Proceeds. Grantor shall promptly notify Lender of any loss or damage to the Property. Lender may make proof of loss if Grantor fails to do so within fifteen (15) days of the casualty. Whether or not Lender's security is impaired, Lender may, at Lender's election, receive and retain the proceeds of any insurance and apply the proceeds to the reduction of the indebtedness, payment of any lien affecting the Property, or the restoration and repair of the Property. If Lender elects to apply the proceeds to restoration and repair, Grantor shall repair or replace the damaged or destroyed improvements in a manner satisfactory to Lender. Lender shall, upon satisfactory proof of such expenditure, pay or reimburse Grantor from the proceeds for the reasonable cost of repair or restoration if Grantor is not in default under this Deed of Trust. Any proceeds which have not been disbursed within 180 days after their receipt and which Lender has not committed to the repair or restoration of the Property shall be used first to pay any amount owing to Lender under this Deed of Trust, then to pay accrued interest, and the remainder, if any, shall be applied to the principal balance of the indebtedness. If Lender holds any proceeds after payment in full of the indebtedness, such proceeds shall be paid without interest to Grantor as Grantor's interests may appear.

Grantor's Report on Insurance. Upon request of Lender, however not more than once a year, Grantor shall furnish to Lender a report on each existing policy of insurance showing: (1) the name of the insurer; (2) the risks insured; (3) the amount of the policy; (4) the property insured, the then current replacement value of such property, and the manner of determining that value; and (5) the expiration date of the policy. Grantor shall, upon request of Lender, have an independent appraiser satisfactory to Lender determine the cash value replacement cost of the Property.

LENDER'S EXPENDITURES. If any action or proceeding is commenced that would materially affect Lender's interest in the Property or if Grantor fails to comply with any provision of this Deed of Trust or any Related Documents, including but not limited to Grantor's failure to discharge or pay when due any amounts Grantor is required to discharge or pay under this Deed of Trust or any Related Documents, Lender on Grantor's behalf may (but shall not be obligated to) take any action that Lender deems appropriate, including but not limited to discharging or paying all taxes, liens, security interests, encumbrances and other claims, at any time levied or placed on the Property and paying all costs for insuring, maintaining and preserving the Property. All such expenditures incurred or paid by Lender for such purposes will then bear interest at the rate charged under the Note from the date incurred or paid by Lender to the date of repayment by Grantor. All such expenses will become a part of the indebtedness and, at Lender's option, will (A) be payable on demand; (B) be added to the balance of the Note and be apportioned among and be payable with any installment payments to become due during either (1) the term of any applicable insurance policy; or (2) the remaining term of

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the Note; or (C) be treated as a balloon payment which will be due and payable at the Note's maturity. The Deed of Trust also will secure payment of these amounts. Such right shall be in addition to all other rights and remedies to which Lender may be entitled upon Default.

WARRANTY; DEFENSE OF TITLE. The following provisions relating to ownership of the Property are a part of this Deed of Trust:

Title. Grantor warrants that: (a) Grantor holds good and marketable title of record to the Property in fee simple, free and clear of all liens and encumbrances other than those set forth in the Real Property description or in any title insurance policy, title report, or final title opinion issued in favor of, and accepted by, Lender in connection with this Deed of Trust, and (b) Grantor has the full right, power, and authority to execute and deliver this Deed of Trust to Lender.

Defense of Title. Subject to the exception in the paragraph above, Grantor warrants and will forever defend the title to the Property against the lawful claims of all persons. In the event any action or proceeding is commenced that questions Grantor's title or the interest of Trustee or Lender under this Deed of Trust, Grantor shall defend the action at Grantor's expense. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of Lender's own choice, and Grantor will deliver, or cause to be delivered, to Lender such instruments as Lender may request from time to time to permit such participation.

Compliance With Laws. Grantor warrants that the Property and Grantor's use of the Property complies with all existing applicable laws, ordinances, and regulations of governmental authorities.

Survival of Representations and Warranties. All representations, warranties, and agreements made by Grantor in this Deed of Trust shall survive the execution and delivery of this Deed of Trust, shall be continuing in nature, and shall remain in full force and effect until such time as Grantor's indebtedness shall be paid in full.

CONDEMNATION. The following provisions relating to condemnation proceedings are a part of this Deed of Trust:

Proceedings. If any proceeding in condemnation is filed, Grantor shall promptly notify Lender in writing, and Grantor shall promptly take such steps as may be necessary to defend the action and obtain the award. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of its own choice all at Grantor's expense, and Grantor will deliver or cause to be delivered to Lender such instruments and documentation as may be requested by Lender from time to time to permit such participation.

Application of Net Proceeds. If all or any part of the Property is condemned by eminent domain proceedings or by any proceeding or purchase in lieu of condemnation, Lender may at its election require that all or any portion of the net proceeds of the award be applied to the indebtedness or the repair or restoration of the Property. The net proceeds of the award shall mean the award after payment of all reasonable costs, expenses, and attorneys' fees incurred by Trustee or Lender in connection with the condemnation.

IMPOSITION OF TAXES, FEES AND CHARGES BY GOVERNMENTAL AUTHORITIES. The following provisions relating to governmental taxes, fees and charges are a part of this Deed of Trust:

Current Taxes, Fees and Charges. Upon request by Lender, Grantor shall execute such documents in addition to this Deed of Trust and take whatever other action is requested by Lender to perfect and continue Lender's lien on the Real Property. Grantor shall reimburse Lender for all taxes, as described below, together with all expenses incurred in recording, perfecting or continuing this Deed of Trust, including without limitation all taxes, fees, documentary stamps, and other charges for recording or registering this Deed of Trust.

Taxes. The following shall constitute taxes to which this section applies: (1) a specific tax upon this type of Deed of Trust or upon all or any part of the indebtedness secured by this Deed of Trust; (2) a specific tax on Grantor which Grantor is authorized or required to deduct from payments on the indebtedness secured by this type of Deed of Trust; (3) a tax on this type of Deed of Trust chargeable against the Lender or the holder of the Note; and (4) a specific tax on all or any portion of the indebtedness or on payments of principal and interest made by Grantor.

Subsequent Taxes. If any tax to which this section applies is enacted subsequent to the date of this Deed of Trust, this event shall have the same effect as an Event of Default, and Lender may exercise any or all of its available remedies for an Event of Default as provided below unless Grantor either (1) pays the tax before it becomes delinquent, or (2) contests the tax as provided above in the Taxes and Liens section and deposits with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender.

SECURITY AGREEMENT; FINANCING STATEMENTS. The following provisions relating to this Deed of Trust as a security agreement are a part of this Deed of Trust:

Security Agreement. This instrument shall constitute a Security Agreement to the extent any of the Property constitutes fixtures, and Lender shall have all of the rights of a secured party under the Uniform Commercial Code as amended from time to time.

Security Interest. Upon request by Lender, Grantor shall take whatever action is requested by Lender to perfect and continue Lender's security interest in the Rents and Personal Property. In addition to recording this Deed of Trust in the real property records, Lender may, at any time and without further authorization from Grantor, file executed counterparts, copies or reproductions of this Deed of Trust as a financing statement. Grantor shall reimburse Lender for all expenses incurred in perfecting or continuing this security interest. Upon default, Grantor shall not remove, sever or detach the Personal Property from the Property. Upon default, Grantor shall assemble any Personal Property not affixed to the Property in a manner and at a place reasonably convenient to Grantor and Lender and make it available to Lender within three (3) days after receipt of written demand from Lender to the extent permitted by applicable law.

Addresses. The mailing addresses of Grantor (debtor) and Lender (secured party) from which information concerning the security interest granted by this Deed of Trust may be obtained (each as required by the Uniform Commercial Code) are as stated on the first page of this Deed of Trust.

FURTHER ASSURANCES; ATTORNEY-IN-FACT. The following provisions relating to further assurances and attorney-in-fact are a part of this Deed of Trust:

Further Assurances. At any time, and from time to time, upon request of Lender, Grantor will make, execute and deliver, or will cause to be made, executed or delivered, to Lender or to Lender's designee, and when requested by Lender, cause to be filed, recorded, refiled, or rerecorded, as the case may be, at such times and in such offices and places as Lender may deem appropriate, any and all such mortgages, deeds of trust, security deeds, security agreements, financing statements, continuation statements, instruments of further assurance, certificates, and other documents as may, in the sole opinion of Lender, be necessary or desirable in order to effectuate, complete, perfect, continue, or preserve (1) Grantor's obligations under the Note, this Deed of Trust, and the Related

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Documents, and (2) the liens and security interests created by this Deed of Trust as first and prior liens on the Property, whether now owned or hereafter acquired by Grantor. Unless prohibited by law or Lender agrees to the contrary in writing, Grantor shall reimburse Lender for all costs and expenses incurred in connection with the matters referred to in this paragraph.

Attorney-in-Fact. If Grantor fails to do any of the things referred to in the preceding paragraph, Lender may do so for and in the name of Grantor and at Grantor's expense. For such purposes, Grantor hereby irrevocably appoints Lender as Grantor's attorney-in-fact for the purpose of making, executing, delivering, filing, recording, and doing all other things as may be necessary or desirable, in Lender's sole opinion, to accomplish the matters referred to in the preceding paragraph.

FULL PERFORMANCE. If Grantor pays all the indebtedness when due, and otherwise performs all the obligations imposed upon Grantor under this Deed of Trust, Lender shall execute and deliver to Trustee a request for full reconveyance and shall execute and deliver to Grantor suitable statements of termination of any financing statement on file evidencing Lender's security interest in the Rents and the Personal Property. Any reconveyance fee shall be paid by Grantor, if permitted by applicable law. The grantee in any reconveyance may be described as the "person or persons legally entitled thereto", and the recitals in the reconveyance of any matters or facts shall be conclusive proof of the truthfulness of any such matters or facts.

EVENTS OF DEFAULT. Each of the following, at Lender's option, shall constitute an Event of Default under this Deed of Trust:

Payment Default. Grantor fails to make any payment when due under the Indebtedness.

Other Defaults. Grantor fails to comply with or to perform any other term, obligation, covenant or condition contained in this Deed of Trust or in any of the Related Documents or to comply with or to perform any term, obligation, covenant or condition contained in any other agreement between Lender and Grantor.

Compliance Default. Failure to comply with any other term, obligation, covenant or condition contained in this Deed of Trust, the Note or in any of the Related Documents.

Default on Other Payments. Failure of Grantor within the time required by this Deed of Trust to make any payment for taxes or insurance, or any other payment necessary to prevent filing of or to effect discharge of any lien.

Default in Favor of Third Parties. Should Grantor default under any loan, extension of credit, security agreement, purchase or sales agreement, or any other agreement, in favor of any other creditor or person that may materially affect any of Grantor's property or Grantor's ability to repay the indebtedness or Grantor's ability to perform Grantor's obligations under this Deed of Trust or any of the Related Documents.

False Statements. Any warranty, representation or statement made or furnished to Lender by Grantor or on Grantor's behalf under this Deed of Trust or the Related Documents is false or misleading in any material respect, either now or at the time made or furnished or becomes false or misleading at any time thereafter.

Defective Collateralization. This Deed of Trust or any of the Related Documents ceases to be in full force and effect (including failure of any collateral document to create a valid and perfected security interest or lien) at any time and for any reason.

Insolvency. The dissolution or termination of Grantor's existence as a going business, the insolvency of Grantor, the appointment of a receiver for any part of Grantor's property, any assignment for the benefit of creditors, any type of creditor workout, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Grantor.

Creditor or Forfeiture Proceedings. Commencement of foreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, repossession or any other method, by any creditor of Grantor or by any governmental agency against any property securing the indebtedness. This includes a garnishment of any of Grantor's accounts, including deposit accounts, with Lender. However, this Event of Default shall not apply if there is a good faith dispute by Grantor as to the validity or reasonableness of the claim which is the basis of the creditor or forfeiture proceeding and if Grantor gives Lender written notice of the creditor or forfeiture proceeding and deposits with Lender monies or a surety bond for the creditor or forfeiture proceeding, in an amount determined by Lender, in its sole discretion, as being an adequate reserve or bond for the dispute.

Breach of Other Agreement. Any breach by Grantor under the terms of any other agreement between Grantor and Lender that is not remedied within any grace period provided therein, including without limitation any agreement concerning any indebtedness or other obligation of Grantor to Lender, whether existing now or later.

Events Affecting Guarantor. Any of the preceding events occurs with respect to any guarantor, endorser, surety, or accommodation party of any of the indebtedness or any guarantor, endorser, surety, or accommodation party dies or becomes incompetent, or revokes or disputes the validity of, or liability under, any Guaranty of the indebtedness.

Adverse Change. A material adverse change occurs in Grantor's financial condition, or Lender believes the prospect of payment or performance of the indebtedness is impaired.

Insecurity. Lender in good faith believes itself insecure.

Right to Cure. If any default, other than a default in payment is curable and if Grantor has not been given a notice of a breach of the same provision of this Deed of Trust within the preceding twelve (12) months, it may be cured if Grantor, after Lender sends written notice to Grantor demanding cure of such default: (1) cures the default within fifteen (15) days; or (2) if the cure requires more than fifteen (15) days, immediately initiates steps which Lender deems in Lender's sole discretion to be sufficient to cure the default and thereafter continues and completes all reasonable and necessary steps sufficient to produce compliance as soon as reasonably practical.

RIGHTS AND REMEDIES ON DEFAULT. If an Event of Default occurs under this Deed of Trust, at any time thereafter, Trustee or Lender may exercise any one or more of the following rights and remedies:

Election of Remedies. Election by Lender to pursue any remedy shall not exclude pursuit of any other remedy, and an election to make expenditures or to take action to perform an obligation of Grantor under this Deed of Trust, after Grantor's failure to perform, shall not affect Lender's right to declare a default and exercise its remedies.

Accelerate Indebtedness. Lender shall have the right at its option to declare the entire indebtedness immediately due and payable, including any prepayment penalty which Grantor would be required to pay.

Foreclosure. With respect to all or any part of the Real Property, the Trustee shall have the right to exercise its power of sale and to foreclose by notice and sale, and Lender shall have the right to foreclose by judicial foreclosure, in either case in accordance with and to the full extent provided by applicable law.

UCC Remedies. With respect to all or any part of the Personal Property, Lender shall have all the rights and remedies of a secured party under the Uniform Commercial Code.

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Collect Rents. Lender shall have the right, without notice to Grantor to take possession of and manage the Property and collect the Rents, including amounts past due and unpaid, and apply the net proceeds, over and above Lender's costs, against the Indebtedness. In furtherance of this right, Lender may require any tenant or other user of the Property to make payments of rent or use fees directly to Lender. If the Rents are collected by Lender, then Grantor irrevocably designates Lender as Grantor's attorney-in-fact to endorse instruments received in payment thereof in the name of Grantor and to negotiate the same and collect the proceeds. Payments by tenants or other users to Lender in response to Lender's demand shall satisfy the obligations for which the payments are made, whether or not any proper grounds for the demand existed. Lender may exercise its rights under this subparagraph either in person, by agent, or through a receiver.

Appoint Receiver. Lender shall have the right to have a receiver appointed to take possession of all or any part of the Property, with the power to protect and preserve the Property, to operate the Property preceding or pending foreclosure or sale, and to collect the Rents from the Property and apply the proceeds, over and above the cost of the receivership, against the Indebtedness. The receiver may serve without bond if permitted by law. Lender's right to the appointment of a receiver shall exist whether or not the apparent value of the Property exceeds the Indebtedness by a substantial amount. Employment by Lender shall not disqualify a person from serving as a receiver.

Tenancy at Sufferance. If Grantor remains in possession of the Property after the Property is sold as provided above or Lender otherwise becomes entitled to possession of the Property upon default of Grantor, Grantor shall become a tenant at sufferance of Lender or the purchaser of the Property and shall, at Lender's option, either (1) pay a reasonable rental for the use of the Property, or (2) vacate the Property immediately upon the demand of Lender.

Other Remedies. Trustee or Lender shall have any other right or remedy provided in this Deed of Trust or the Note or available at law or in equity.

Notice of Sale. Lender shall give Grantor reasonable notice of the time and place of any public sale of the Personal Property or of the time after which any private sale or other intended disposition of the Personal Property is to be made. Reasonable notice shall mean notice given at least ten (10) days before the time of the sale or disposition. Any sale of the Personal Property may be made in conjunction with any sale of the Real Property.

Sale of the Property. To the extent permitted by applicable law, Grantor hereby waives any and all rights to have the Property marshalled. In exercising its rights and remedies, the Trustee or Lender shall be free to sell all or any part of the Property together or separately, in one sale or by separate sales. Lender shall be entitled to bid at any public sale on all or any portion of the Property.

Attorneys' Fees; Expenses. If Lender institutes any suit or action to enforce any of the terms of this Deed of Trust, Lender shall be entitled to recover such sum as the court may adjudge reasonable as attorneys' fees at trial and upon any appeal. Whether or not any court action is involved, and to the extent not prohibited by law, all reasonable expenses Lender incurs that in Lender's opinion are necessary at any time for the protection of its interest or the enforcement of its rights shall become a part of the Indebtedness payable on demand and shall bear interest at the Note rate from the date of the expenditure until repaid. Expenses covered by this paragraph include, without limitation, however subject to any limits under applicable law, Lender's attorneys' fees and Lender's legal expenses, whether or not there is a lawsuit, including attorneys' fees and expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services, the cost of searching records, obtaining title reports (including foreclosure reports), surveyors' reports, and appraisal fees, title insurance, and fees for the Trustee, to the extent permitted by applicable law. Grantor also will pay any court costs, in addition to all other sums provided by law.

Rights of Trustee. Trustee shall have all of the rights and duties of Lender as set forth in this section.

POWERS AND OBLIGATIONS OF TRUSTEE. The following provisions relating to the powers and obligations of Trustee (pursuant to Lender's instructions) are part of this Deed of Trust:

Powers of Trustee. In addition to all powers of Trustee arising as a matter of law, Trustee shall have the power to take the following actions with respect to the Property upon the written request of Lender and Grantor: (a) join in preparing and filing a map or plat of the Real Property, including the dedication of streets or other rights to the public; (b) join in granting any easement or creating any restriction on the Real Property; and (c) join in any subordination or other agreement affecting this Deed of Trust or the interest of Lender under this Deed of Trust.

Obligations to Notify. Trustee shall not be obligated to notify any other party of a pending sale under any other trust deed or lien, or of any action or proceeding in which Grantor, Lender, or Trustee shall be a party, unless required by applicable law, or unless the action or proceeding is brought by Trustee.

Trustee. Trustee shall meet all qualifications required for Trustee under applicable law. In addition to the rights and remedies set forth above, with respect to all or any part of the Property, the Trustee shall have the right to foreclose by notice and sale, and Lender shall have the right to foreclose by judicial foreclosure, in either case in accordance with and to the full extent provided by applicable law.

Successor Trustee. Lender, at Lender's option, may from time to time appoint a successor Trustee to any Trustee appointed under this Deed of Trust by an instrument executed and acknowledged by Lender and recorded in the office of the recorder of Benton County, State of Washington. The instrument shall contain, in addition to all other matters required by state law, the names of the original Lender, Trustee, and Grantor, the book and page or the Auditor's File Number where this Deed of Trust is recorded, and the name and address of the successor trustee, and the instrument shall be executed and acknowledged by Lender or its successors in interest. The successor trustee, without conveyance of the Property, shall succeed to all the title, power, and duties conferred upon the Trustee in this Deed of Trust and by applicable law. This procedure for substitution of Trustee shall govern to the exclusion of all other provisions for substitution.

NOTICES. Subject to applicable law, and except for notice required or allowed by law to be given in another manner, any notice required to be given under this Deed of Trust, including without limitation any notice of default and any notice of sale shall be given in writing, and shall be effective when actually delivered, when actually received by telefacsimile (unless otherwise required by law), when deposited with a nationally recognized overnight courier, or, if mailed, when deposited in the United States mail, as first class, certified or registered mail postage prepaid, directed to the addresses shown near the beginning of this Deed of Trust. All copies of notices of foreclosure from the holder of any lien which has priority over this Deed of Trust shall be sent to Lender's address, as shown near the beginning of this Deed of Trust. Any party may change its address for notices under this Deed of Trust by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address. For notice purposes, Grantor agrees to keep Lender informed at all times of Grantor's current address. Subject to applicable law, and except for notice required or allowed by law to be given in another manner, if there is more than one Grantor, any notice given by Lender to any Grantor is deemed to be notice given to all Grantors.

MISCELLANEOUS PROVISIONS. The following miscellaneous provisions are a part of this Deed of Trust:

DEED OF TRUST (Continued)

Loan No: 72157275

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Amendments. This Deed of Trust, together with any Related Documents, constitutes the entire understanding and agreement of the parties as to the matters set forth in this Deed of Trust. No alteration of or amendment to this Deed of Trust shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

Annual Reports. If the Property is used for purposes other than Grantor's residence, Grantor shall furnish to Lender, upon request, a certified statement of net operating income received from the Property during Grantor's previous fiscal year in such form and detail as Lender shall require. "Net operating income" shall mean all cash receipts from the Property less all cash expenditures made in connection with the operation of the Property.

Caption Headings. Caption headings in this Deed of Trust are for convenience purposes only and are not to be used to interpret or define the provisions of this Deed of Trust.

Merger. There shall be no merger of the interest or estate created by this Deed of Trust with any other interest or estate in the Property at any time held by or for the benefit of Lender in any capacity, without the written consent of Lender.

Governing Law. This Deed of Trust will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of Washington without regard to its conflicts of law provisions. This Deed of Trust has been accepted by Lender in the State of Washington.

No Waiver by Lender. Lender shall not be deemed to have waived any rights under this Deed of Trust unless such waiver is given in writing and signed by Lender. No delay or omission on the part of Lender in exercising any right shall operate as a waiver of such right or any other right. A waiver by Lender of a provision of this Deed of Trust shall not prejudice or constitute a waiver of Lender's right otherwise to demand strict compliance with that provision or any other provision of this Deed of Trust. No prior waiver by Lender, nor any course of dealing between Lender and Grantor, shall constitute a waiver of any of Lender's rights or of any of Grantor's obligations as to any future transactions. Whenever the consent of Lender is required under this Deed of Trust, the granting of such consent by Lender in any instance shall not constitute continuing consent to subsequent instances where such consent is required and in all cases such consent may be granted or withheld in the sole discretion of Lender.

Severability. If a court of competent jurisdiction finds any provision of this Deed of Trust to be illegal, invalid, or unenforceable as to any circumstance, that finding shall not make the offending provision illegal, invalid, or unenforceable as to any other circumstance. If feasible, the offending provision shall be considered modified so that it becomes legal, valid and enforceable. If the offending provision cannot be so modified, it shall be considered deleted from this Deed of Trust. Unless otherwise required by law, the illegality, invalidity, or unenforceability of any provision of this Deed of Trust shall not affect the legality, validity or enforceability of any other provision of this Deed of Trust.

Successors and Assigns. Subject to any limitations stated in this Deed of Trust on transfer of Grantor's interest, this Deed of Trust shall be binding upon and inure to the benefit of the parties, their successors and assigns. If ownership of the Property becomes vested in a person other than Grantor, Lender, without notice to Grantor, may deal with Grantor's successors with reference to this Deed of Trust and the indebtedness by way of forbearance or extension without releasing Grantor from the obligations of this Deed of Trust or liability under the indebtedness.

Time is of the Essence. Time is of the essence in the performance of this Deed of Trust.

Waive Jury. All parties to this Deed of Trust hereby waive the right to any jury trial in any action, proceeding, or counterclaim brought by any party against any other party.

Waiver of Homestead Exemption. Grantor hereby releases and waives all rights and benefits of the homestead exemption laws of the State of Washington as to all indebtedness secured by this Deed of Trust.

DEFINITIONS. The following capitalized words and terms shall have the following meanings when used in this Deed of Trust. Unless specifically stated to the contrary, all references to dollar amounts shall mean amounts in lawful money of the United States of America. Words and terms used in the singular shall include the plural, and the plural shall include the singular, as the context may require. Words and terms not otherwise defined in this Deed of Trust shall have the meanings attributed to such terms in the Uniform Commercial Code:

Beneficiary. The word "Beneficiary" means Banner Bank, and its successors and assigns.

Borrower. The word "Borrower" means Bethel Church of Richland, Washington and includes all co-signers and co-makers signing the Note and all their successors and assigns.

Deed of Trust. The words "Deed of Trust" mean this Deed of Trust among Grantor, Lender, and Trustee, and includes without limitation all assignment and security interest provisions relating to the Personal Property and Rents.

Default. The word "Default" means the Default set forth in this Deed of Trust in the section titled "Default".

Event of Default. The words "Event of Default" mean any of the events of default set forth in this Deed of Trust in the events of default section of this Deed of Trust.

Grantor. The word "Grantor" means Bethel Church of Richland, Washington.

Guaranty. The word "Guaranty" means the guaranty from guarantor, endorser, surety, or accommodation party to Lender, including without limitation a guaranty of all or part of the Note.

Improvements. The word "Improvements" means all existing and future improvements, buildings, structures, mobile homes affixed on the Real Property, facilities, additions, replacements and other construction on the Real Property.

Indebtedness. The word "Indebtedness" means all principal, interest, and other amounts, costs and expenses payable under the Note or Related Documents, together with all renewals of, extensions of, modifications of, consolidations of and substitutions for the Note or Related Documents and any amounts expended or advanced by Lender to discharge Grantor's obligations or expenses incurred by Trustee or Lender to enforce Grantor's obligations under this Deed of Trust, together with interest on such amounts as provided in this Deed of Trust. Specifically, without limitation, Indebtedness includes all amounts that may be indirectly secured by the Cross-Collateralization provision of this Deed of Trust.

Lender. The word "Lender" means Banner Bank, its successors and assigns.

Note. The word "Note" means the promissory note dated November 7, 2013, in the original principal amount of \$1,800,000.00 from Grantor to Lender, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the promissory note or agreement.

Personal Property. The words "Personal Property" mean all equipment, fixtures, and other articles of personal property now or hereafter owned by Grantor, and now or hereafter attached or affixed to the Real Property;

DEED OF TRUST (Continued)

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together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such property; and together with all issues and profits thereon and proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Property.

Property. The word "Property" means collectively the Real Property and the Personal Property.

Real Property. The words "Real Property" mean the real property, interests and rights, as further described in this Deed of Trust.

Related Documents. The words "Related Documents" mean all promissory notes, credit agreements, loan agreements, security agreements, mortgages, deeds of trust, security deeds, collateral mortgages, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the indebtedness; provided, that guaranties and environmental indemnity agreements are not "Related Documents" and are not secured by this Deed of Trust.

Rents. The word "Rents" means all present and future rents, revenues, income, issues, royalties, profits, and other benefits derived from the Property.

Trustee. The word "Trustee" means Tri-City Title & Escrow, whose mailing address is 8131 W. Grandridge Blvd., Ste. 100, Kennewick, WA 99336 and any substitute or successor trustees.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS DEED OF TRUST, AND GRANTOR AGREES TO ITS TERMS.

GRANTOR:

BETHEL CHURCH OF RICHLAND, WASHINGTON

By:

George Bachs, Church Chairman / Executive Pastor of Bethel Church of Richland, Washington

By:

Tom Mathieu, Church Treasurer of Bethel Church of Richland, Washington

CORPORATE ACKNOWLEDGMENT

STATE OF WashingtonCOUNTY OF Benton

On this 13 day of December, 2013, before me, the undersigned Notary Public, personally appeared George Bachs, Church Chairman / Executive Pastor of Bethel Church of Richland, Washington, and personally known to me or proved to me on the basis of satisfactory evidence to be an authorized agent of the corporation that executed the Deed of Trust and acknowledged the Deed of Trust to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Deed of Trust and in fact executed the Deed of Trust on behalf of the corporation.

By:

Notary Public in and for the State of WAResiding at KennewickMy commission expires June 10, 2014

CORPORATE ACKNOWLEDGMENT

STATE OF WashingtonCOUNTY OF Benton

On this 13 day of December, 2013, before me, the undersigned Notary Public, personally appeared Tom Mathieu, Church Treasurer of Bethel Church of Richland, Washington, and personally known to me or proved to me on the basis of satisfactory evidence to be an authorized agent of the corporation that executed the Deed of Trust and acknowledged the Deed of Trust to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Deed of Trust and in fact executed the Deed of Trust on behalf of the corporation.

By:

Notary Public in and for the State of WAResiding at KennewickMy commission expires June 10, 2014

Loan No: 72157275

**DEED OF TRUST
(Continued)**

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REQUEST FOR FULL RECONVEYANCE

To: _____, Trustee

The undersigned is the legal owner and holder of all indebtedness secured by this Deed of Trust. You are hereby requested, upon payment of all sums owing to you, to reconvey without warranty, to the persons entitled thereto, the right, title and interest now held by you under the Deed of Trust.

Date: _____

Beneficiary: _____

By: _____

Its: _____

LASER PRO Lending, Ver. 13.3.0.024 Copr. Harland Financial Solutions, Inc. 1997, 2013. All Rights Reserved. -
WA Z:\Laser\PCF\PL\G01.FC TR-71939 PR-93

Parcel AExhibit A

THE PORTION OF THE SOUTH ONE HALF OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 29 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON DEFINED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 89°53'20" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 582.91 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY MARGIN OF KEENE ROAD RIGHT OF WAY; THENCE NORTH 48°25'56" WEST ALONG SAID MARGIN A DISTANCE OF 45.31 FEET TO THE EAST CORNER OF THE TRACT OF LAND DESCRIBED AND SHOWN ON THE SURVEY #567; THENCE CONTINUING NORTH 48°25'56" WEST ALONG SAID MARGIN A DISTANCE OF 520.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 41°34'04" WEST A DISTANCE OF 400 FEET; THENCE NORTH 48°25'56" WEST A DISTANCE OF 272.25 FEET; THENCE NORTH 41°34'04" EAST A DISTANCE OF 400 FEET TO THE AFORE SAID MARGIN; THENCE SOUTH 48°25'56" EAST ALONG SAID MARGIN A DISTANCE OF 272.25 FEET TO THE TRUE POINT OF BEGINNING.

Parcel B

THAT PORTION OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, RECORDS OF BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS;

THE SOUTH 826.9 FEET OF THE SOUTHWEST, EXCEPT THE WEST 2054.4 FEET THEREOF; ALSO THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER LYING SOUTHERLY OF THE KEENE ROAD EXCEPT THE SOUTH 30 FEET;

EXCEPT PORTION OF THE SOUTH ONE HALF OF SECTION 22 DEFINED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22; THENCE NORTH 89°53'20" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 582.91 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY MARGIN OF KEENE ROAD RIGHT OF WAY; THENCE NORTH 48°25'56" WEST ALONG MARGIN A DISTANCE OF 45.31 FEET TO THE EAST CORNER OF THE TRACT OF LAND DESCRIBED AND SHOWN ON THE SURVEY #567; THENCE CONTINUING NORTH 48°25'56" WEST ALONG SAID MARGIN A DISTANCE OF 520.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 41°34'04" WEST A DISTANCE OF 400 FEET; THENCE NORTH 48°25'56" WEST A DISTANCE OF 272.25 FEET; THENCE NORTH 41°34'04" EAST A DISTANCE OF 400 FEET TO THE AFORE SAID MARGIN; THENCE SOUTH 48°25'56" EAST ALONG SAID MARGIN A DISTANCE OF 272.25 FEET TO THE TRUE POINT OF BEGINNING;

AND EXCEPT THAT PORTION OF THE SOUTH HALF OF SAID SECTION 22, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 89°53'20" WEST, 609.28 FEET ALONG THE SOUTH LINE OF SAID SECTION 22 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE NORTH 48°25'56" WEST, 45.31 FEET ALONG SAID SOUTHWESTERLY LINE TO THE NORTH RIGHT OF WAY LINE OF SHOCKLEY ROAD; THENCE NORTH 89°53'20" WEST, 859.14 FEET ALONG SAID NORTH LINE TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°53'20" WEST, 398.03 FEET ALONG SAID NORTH LINE TO A POINT ON THE EAST LINE OF THE WEST 2054.4 FEET OF SAID SOUTH HALF OF SECTION 22; THENCE NORTH 1°22'48" EAST, 797.10 FEET ALONG SAID EAST LINE TO A POINT ON THE NORTH LINE OF THE SOUTH 826.9 FEET OF SAID SECTION 22; THENCE SOUTH 89°53'20" EAST 337.42 FEET ALONG SAID NORTH LINE TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE SOUTH 48°25'56" EAST 410.68 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 41°34'04" WEST, 400 FEET; THENCE SOUTH 0°06'40" WEST, 225.23 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89°13'34" EAST ALONG THE SOUTH LINE OF SAID SECTION 22 AND THE CENTERLINE OF SHOCKLEY ROAD A DISTANCE OF 305.03 FEET; THENCE NORTH 00°46'26" WEST A DISTANCE OF 30.00 FEET TO A POINT OF CURVE, BEING THE NORTHERLY MARGIN OF SAID SHOCKLEY ROAD AND THE TRUE POINT OF BEGINNING; THENCE ALONG A NON-RADIAL CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 12°02'36" A RADIUS OF 280.00 FEET, A CHORD BEARING OF NORTH 44°59'28" EAST, AN ARC DISTANCE OF 58.86 FEET; THENCE NORTH 38°58'10" EAST A DISTANCE OF 186.31 FEET TO THE WESTERLY MARGIN OF KEENE ROAD; THENCE SOUTH 49°19'33" EAST ALONG SAID WESTERLY MARGIN A DISTANCE OF 278.34 FEET TO THE NORTHERLY MARGIN OF SHOCKLEY ROAD; THENCE SOUTH 89°13'34" WEST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 369.84 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89°13'34" EAST ALONG THE

SOUTH LINE OF SAID SECTION 22, BEING THE CENTERLINE OF SHOCKLEY ROAD, A DISTANCE OF 131.82 FEET TO THE POINT OF CURVE FOR THE REALIGNMENT OF SAID SHOCKLEY ROAD; THENCE NORTH 00°46'26" WEST A DISTANCE OF 30.00 FEET TO A POINT OF CURVE, BEING THE NORTHERLY MARGIN OF SAID SHOCKLEY ROAD AND THE TRUE POINT OF BEGINNING; THENCE ALONG A NON-RADIAL CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 50°15'24", A RADIUS OF 220.00 FEET, A CHORD BEARING OF NORTH 64°05'52" EAST, AN ARC DISTANCE OF 192.97 FEET; THENCE NORTH 38°58'10" EAST A DISTANCE OF 188.10 FEET TO THE WESTERLY MARGIN OF KEENE ROAD; THENCE SOUTH 49°19'33" EAST ALONG SAID WESTERLY MARGIN A DISTANCE OF 60.03 FEET; THENCE SOUTH 38°58'10" WEST A DISTANCE OF 186.31 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 12°02'36", A RADIUS OF 280.00 FEET, AN ARC DISTANCE OF 58.86 FEET TO THE SAID NORTHERLY MARGIN OF SHOCKLEY ROAD; THENCE 89°13'34" WEST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 173.21 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION FOR ROAD RIGHT OF WAY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89°13'34" EAST ALONG THE SOUTH LINE OF SAID SECTION 22, BEING THE CENTERLINE OF SHOCKLEY ROAD A DISTANCE OF 131.82 FEET TO THE POINT OF A CURVE FOR THE REALIGNMENT OF SAID SHOCKLEY ROAD AS RECORDED UNDER AF#1999-037333 RECORDS OF SAID COUNTY AND STATE; THENCE NORTH 00°46'26" WEST A DISTANCE OF 30.00 FEET TO A POINT OF CURVE BEING THE NORTHERLY MARGIN OF SAID SHOCKLEY ROAD; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT SAID CURVE HAVING A CENTRAL ANGLE OF 50°15'24" HAVING A RADIUS OF 220.00 FEET AND HAVING A CHORD BEARING OF NORTH 64°05'52" EAST AN ARC DISTANCE OF 192.97 FEET ALONG SAID NORTHERLY MARGIN; THENCE NORTH 38°58'10" EAST A DISTANCE OF 188.10 FEET ALONG SAID NORTHERLY MARGIN TO A POINT ON THE WESTERLY MARGIN OF KEENE ROAD AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 38°58'10" WEST A DISTANCE OF 7.00 FEET ALONG SAID NORTHERLY MARGIN; THENCE NORTH 08°52'51" WEST A DISTANCE OF 10.79 FEET LEAVING SAID NORTHERLY MARGIN TO A POINT ON SAID WESTERLY MARGIN; THENCE SOUTH 49°19'33" EAST A DISTANCE OF 8.00 FEET ALONG SAID WESTERLY MARGIN OF KEENE ROAD BACK TO THE TRUE POINT OF BEGINNING.

Parcel C

THE WEST 268.37 FEET OF THE EAST 1131.63 FEET OF THE PORTION OF THE WEST 2054.40 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, LYING SOUTH OF THE FOLLOWING DESCRIPTION LINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANCE 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.40 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIPTION LINE;

EXCEPT THE SOUTH 30 FEET FOR ROADS.

Parcel D

THE WEST 284.02 FEET OF THE EAST 845.31 FEET OF THE PORTION OF THE WEST 2054.40 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, LYING SOUTH OF THE FOLLOWING DESCRIPTION LINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANCE 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT OF EAST LINE OF SAID WEST 2054.40 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIPTION LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROADS.

Parcel E

THAT PORTION OF THE SOUTH HALF OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. RECORDS OF BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 89°53'20" WEST 609.28 FEET ALONG THE SOUTH LINE OF SAID SECTION 22 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE NORTH 48°25'56" WEST 45.31 FEET ALONG SAID SOUTHWESTERLY LINE TO THE NORTH RIGHT OF WAY LINE OF SHOCKLEY ROAD; THENCE NORTH 89°53'20" WEST 859.14 FEET ALONG SAID NORTH LINE TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°53'20" WEST 398.03 FEET ALONG SAID NORTH LINE TO A POINT ON THE EAST LINE OF THE WEST 2054.4 FEET OF SAID SOUTH

HALF OF SECTION 22; THENCE NORTH $1^{\circ}22'48''$ EAST 797.10 FEET ALONG SAID EAST LINE TO A POINT ON THE NORTH LINE OF THE SOUTH 826.9 FEET OF SAID SECTION 22; THENCE SOUTH $89^{\circ}53'20''$ EAST 337.42 FEET ALONG SAID NORTH LINE TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE SOUTH $48^{\circ}25'56''$ EAST 410.68 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH $41^{\circ}34'04''$ WEST 400.00 FEET; THENCE SOUTH $00^{\circ}06'40''$ WEST 225.23 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH THE WEST 281.75 FEET TO THE EAST 561.29 FEET OF THAT PORTION OF THE WEST 2054.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON LYING SOUTH OF THE FOLLOWING DESCRIBED LINE;

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION A DISTANCE OF 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.00 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD;

TOGETHER WITH THE EAST 279.54 FEET OF THAT PORTION OF THE WEST 2054.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY WASHINGTON LYING SOUTH OF THE FOLLOWING DESCRIBED LINE;

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANT 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHTLINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.00 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD.

RETURN ADDRESS:

Banner Bank
Bothell Loan Service
Center
P.O. Box 1589
Bothell, WA 98041

16-181088 KLT

TRI-CITY TITLE & ESCROW

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MODIFICATION OF DEED OF TRUST

Reference # (if applicable): 2013-037750

Additional on page ____

Grantor(s):

1. Bethel Church of Richland, Washington

Grantee(s)

1. Banner Bank

Legal Description: Portion of S2SW and SWSE of 22-9-28, Benton County, Washington

Additional on page ____

Assessor's Tax Parcel ID#: 1-2298-400-0005-000; 1-2298-300-0009-003;
1-2298-400-0009-003; 1-2298-300-0006-002; 1-2298-300-0006-003

THIS MODIFICATION OF DEED OF TRUST dated May 3, 2016, is made and executed between Bethel Church of Richland, Washington, who acquired title as Bethel Church, a Washington non-profit corporation; whose address is 600 Shockley Road, Richland, WA 99352 ("Grantor") and Banner Bank, whose address is Tri-Cities Commercial Banking Center, 5920 W. Clearwater Avenue, Kennewick, WA 99336 ("Lender").

**MODIFICATION OF DEED OF TRUST
(Continued)**

Page 2

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated November 7, 2013 (the "Deed of Trust") which has been recorded in Benton County, State of Washington, as follows:

Recorded on November 13, 2013 under Recording Number 2013-037750, records of Benton County, State of Washington.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in Benton County, State of Washington:

See Exhibit "A", which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 600 & 626 Shockley Road & 8336 Keene Road, Richland, WA 99352. The Real Property tax identification number is 1-2298-400-0005-000; 1-2298-300-0008-003; 1-2298-400-0009-003; 1-2298-300-0008-002; 1-2298-300-0008-003.

MODIFICATION. Lender and Grantor hereby modify the Deed of Trust as follows:

The Deed of Trust secures a Promissory Note dated May 3, 2016 between Borrower and Lender in the amount of \$2,000,000.00, for an additional principal advance of \$1,515,104.43, with a maturity date of May 15, 2026, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the Note or Credit Agreement.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorser to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Deed of Trust does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED MAY 3, 2016.

GRANTOR:

BETHEL CHURCH OF RICHLAND, WASHINGTON

By: [Signature]
Robert Bonner, Chairman & Executive Pastor of Bethel Church of Richland, Washington

LENDER:

BANNER BANK

x. [Signature]
Authorized Officer

CORPORATE ACKNOWLEDGMENT

STATE OF Washington)
COUNTY OF Benton) ss)

**Notary Public
State of Washington
TERESA L. MCCORD
MY COMMISSION EXPIRES
APRIL 10, 2018**

On this 4th day of May, 20 16,
Notary Public, personally appeared Robert Bonner, Chairman & Executive Pastor of Bethel Church of Richland, Washington, and personally known to me or proved to me on the basis of satisfactory evidence to be an authorized agent of the corporation that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the corporation.

By [Signature]
Notary Public in and for the State of WA

Residing at Kennewick
My commission expires 4/10/2018

MODIFICATION OF DEED OF TRUST
(Continued)

Page 3

LENDER ACKNOWLEDGMENT

STATE OF Washington
COUNTY OF Benton

)
) SS Notary Public
) State of Washington
TAMARA D. DEAN
MY COMMISSION EXPIRES
JUNE 10, 2018

On this 4 day of May, 2016, before me, the undersigned Notary Public, personally appeared TERESA GIRELLA and personally known to me or proved to me on the basis of satisfactory evidence to be the VP, authorized agent for Banner Bank that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of Banner Bank, duly authorized by Banner Bank through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this said instrument and in fact executed this said instrument on behalf of Banner Bank.

By [Signature]
Notary Public in and for the State of WA

Residing at [Signature]
My commission expires JUNE 10, 2018

Exhibit A

The land referred to in this Commitment is described as follows:

Parcel A

THE PORTION OF THE SOUTH ONE HALF OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON DEFINED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH $89^{\circ}53'20''$ WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 582.91 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY MARGIN OF KEENE ROAD RIGHT OF WAY; THENCE NORTH $48^{\circ}25'56''$ WEST ALONG SAID MARGIN A DISTANCE OF 45.31 FEET TO THE EAST CORNER OF THE TRACT OF LAND DESCRIBED AND SHOWN ON THE SURVEY #567; THENCE CONTINUING NORTH $48^{\circ}25'56''$ WEST ALONG SAID MARGIN A DISTANCE OF 520.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH $41^{\circ}34'04''$ WEST A DISTANCE OF 400 FEET; THENCE NORTH $48^{\circ}25'56''$ WEST A DISTANCE OF 272.25 FEET; THENCE NORTH $41^{\circ}34'04''$ EAST A DISTANCE OF 400 FEET TO THE AFORE SAID MARGIN; THENCE SOUTH $48^{\circ}25'56''$ EAST ALONG SAID MARGIN A DISTANCE OF 272.25 FEET TO THE TRUE POINT OF BEGINNING.

Parcel B

THAT PORTION OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, RECORDS OF BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS;

SOUTHEAST QUARTER LYING SOUTHERLY OF THE KEENE ROAD EXCEPT THE SOUTH 30 FEET;

EXCEPT PORTION OF THE SOUTH ONE HALF OF SECTION 22 DEFINED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22; THENCE NORTH 89°53'20" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 582.91 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY MARGIN OF KEENE ROAD RIGHT OF WAY; THENCE NORTH 48°25'56" WEST ALONG MARGIN A DISTANCE OF 45.31 FEET TO THE EAST CORNER OF THE TRACT OF LAND DESCRIBED AND SHOWN ON THE SURVEY #567; THENCE CONTINUING NORTH 48°25'56" WEST ALONG SAID MARGIN A DISTANCE OF 520.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 41°34'04" WEST A DISTANCE OF 400 FEET; THENCE NORTH 48°25'56" WEST A DISTANCE OF 272.25 FEET; THENCE NORTH 41°34'04" EAST A DISTANCE OF 400 FEET TO THE AFORE SAID MARGIN; THENCE SOUTH 48°25'56" EAST ALONG SAID MARGIN A DISTANCE OF 272.25 FEET TO THE TRUE POINT OF BEGINNING;

AND EXCEPT THAT PORTION OF THE SOUTH HALF OF SAID SECTION 22, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 89°53'20" WEST, 609.28 FEET ALONG THE SOUTH LINE OF SAID SECTION 22 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE NORTH 48°25'56" WEST, 45.31 FEET ALONG SAID SOUTHWESTERLY LINE TO THE NORTH RIGHT OF WAY LINE OF SHOCKLEY ROAD; THENCE NORTH 89°53'20" WEST, 859.14 FEET ALONG SAID NORTH LINE TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°53'20" WEST, 398.03 FEET ALONG SAID NORTH LINE TO A POINT ON THE EAST LINE OF THE WEST 2054.4 FEET OF SAID SOUTH HALF OF SECTION 22; THENCE NORTH 1°22'48" EAST, 797.10 FEET ALONG SAID EAST LINE TO A POINT ON THE NORTH LINE OF THE SOUTH 826.9 FEET OF SAID SECTION 22; THENCE SOUTH 89°53'20" EAST 337.42 FEET ALONG SAID NORTH LINE TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE SOUTH 48°25'56" EAST 410.68 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 41°34'04" WEST, 400 FEET; THENCE SOUTH 0°06'40" WEST, 225.23 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89°13'34" EAST ALONG THE SOUTH LINE OF SAID SECTION 22 AND THE CENTERLINE OF SHOCKLEY ROAD A DISTANCE OF 305.03 FEET; THENCE NORTH 00°46'26" WEST A DISTANCE OF 30.00 FEET TO A POINT OF CURVE, BEING THE NORTHERLY MARGIN OF SAID SHOCKLEY ROAD AND THE TRUE POINT OF BEGINNING; THENCE ALONG A NON-RADIAL CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 12°02'36" A RADIUS OF 280.00 FEET, A CHORD BEARING OF NORTH 44°59'28" EAST, AN ARC DISTANCE OF 58.86 FEET; THENCE NORTH 38°58'10" EAST A DISTANCE OF 186.31 FEET TO THE WESTERLY MARGIN OF KEENE ROAD; THENCE SOUTH 49°19'33" EAST ALONG SAID WESTERLY MARGIN A DISTANCE OF 278.34 FEET TO THE NORTHERLY MARGIN OF SHOCKLEY ROAD; THENCE SOUTH 89°13'34" WEST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 369.84 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89°13'34" EAST ALONG THE SOUTH LINE OF SAID SECTION 22, BEING THE CENTERLINE OF SHOCKLEY ROAD, A DISTANCE OF 131.82 FEET TO THE POINT OF CURVE FOR THE REALIGNMENT OF SAID SHOCKLEY ROAD; THENCE NORTH 00°46'26" WEST A DISTANCE OF 30.00 FEET TO A POINT OF CURVE, BEING THE NORTHERLY MARGIN OF SAID SHOCKLEY ROAD AND THE TRUE POINT OF BEGINNING; THENCE ALONG A NON-RADIAL CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 50°15'24", A RADIUS OF 220.00 FEET, A CHORD BEARING OF NORTH 64°05'52" EAST, AN ARC DISTANCE OF 192.97 FEET; THENCE NORTH 38°58'10" EAST A DISTANCE OF 188.10 FEET TO THE WESTERLY MARGIN OF KEENE ROAD; THENCE SOUTH 49°19'33" EAST ALONG SAID WESTERLY MARGIN A DISTANCE OF 60.03 FEET; THENCE SOUTH 38°58'10" WEST A DISTANCE OF 186.31 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 12°02'36", A RADIUS OF 280.00 FEET, AN ARC DISTANCE OF 58.86 FEET TO THE SAID NORTHERLY MARGIN OF SHOCKLEY ROAD; THENCE 89°13'34" WEST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 173.21 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION FOR ROAD RIGHT OF WAY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89°13'34" EAST ALONG THE SOUTH LINE OF SAID SECTION 22, BEING THE CENTERLINE OF SHOCKLEY ROAD A DISTANCE OF 131.82 FEET TO THE POINT OF A CURVE FOR THE REALIGNMENT OF SAID SHOCKLEY ROAD A DISTANCE OF 131.82 FEET TO THE POINT OF A CURVE FOR THE REALIGNMENT OF SAID SHOCKLEY ROAD AS RECORDED UNDER AP#1999-037333 RECORDS OF SAID COUNTY AND STATE; THENCE NORTH 00°46'26" WEST A DISTANCE OF 30.00 FEET TO A POINT OF CURVE BEING THE NORTHERLY MARGIN OF SAID SHOCKLEY ROAD; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT SAID CURVE HAVING A CENTRAL ANGLE OF 50°15'24" HAVING A RADIUS OF 220.00 FEET AND HAVING A CHORD BEARING OF NORTH 64°05'52" EAST AN ARC DISTANCE OF 192.97 FEET ALONG SAID NORTHERLY MARGIN; THENCE NORTH 38°58'10" EAST A DISTANCE OF 188.10 FEET ALONG SAID NORTHERLY MARGIN TO A POINT ON THE WESTERLY MARGIN OF KEENE ROAD AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 38°58'10" WEST A DISTANCE OF 7.00 FEET ALONG SAID NORTHERLY MARGIN; THENCE NORTH 08°52'51" WEST A DISTANCE OF 10.79 FEET LEAVING SAID NORTHERLY MARGIN TO A POINT ON SAID WESTERLY MARGIN; THENCE SOUTH 49°19'33" EAST A DISTANCE OF 8.00 FEET ALONG SAID WESTERLY MARGIN OF KEENE ROAD BACK TO THE TRUE POINT OF BEGINNING.

Parcel C

THE WEST 268.37 FEET OF THE EAST 1131.63 FEET OF THE PORTION OF THE WEST 2054.40 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, LYING SOUTH OF THE FOLLOWING DESCRIPTION LINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANCE 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.40 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIPTION LINE;

EXCEPT THE SOUTH 30 FEET FOR ROADS.

Parcel D

THE WEST 284.02 FEET OF THE EAST 845.31 FEET OF THE PORTION OF THE WEST 2054.40 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, LYING SOUTH OF THE FOLLOWING DESCRIPTION LINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANCE 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 733 FEET THENCE EASTERLY IN A STRAIGHT LINE TO A POINT OF EAST LINE OF SAID WEST 2054.40 FEET WHICH IS 827.10 NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIPTION LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROADS.

Parcel E

THAT PORTION OF THE SOUTH HALF OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. RECORDS OF BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 89°53'20" WEST 609.28 FEET ALONG THE SOUTH LINE OF SAID SECTION 22 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE NORTH 48°25'56" WEST 45.31 FEET ALONG SAID SOUTHWESTERLY LINE TO THE NORTH RIGHT OF WAY LINE OF SHOCKLEY ROAD; THENCE NORTH 89°53'20" WEST 859.14 FEET ALONG SAID NORTH LINE TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°53'20" WEST 398.03 FEET ALONG SAID NORTH LINE TO A POINT ON THE EAST LINE OF THE WEST 2054.4 FEET OF SAID SOUTH HALF OF SECTION 22; THENCE NORTH 1°22'48" EAST 797.10 FEET ALONG SAID EAST LINE TO A POINT ON THE NORTH LINE OF THE SOUTH 826.9 FEET OF SAID SECTION 22; THENCE SOUTH 89°53'20" EAST 337.42 FEET ALONG SAID NORTH LINE TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE SOUTH 48°25'56" EAST 410.68 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 41°34'04" WEST 400.00 FEET; THENCE SOUTH 00°06'40" WEST 225.23 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH THE WEST 281.75 FEET TO THE EAST 561.29 FEET OF THAT PORTION OF THE WEST 2054.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON LYING SOUTH OF THE FOLLOWING DESCRIBED LINE;

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION A DISTANCE OF 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAIDWEST 2054.00 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD;

TOGETHER WITH THE EAST 279.54 FEET OF THAT PORTION OF THE WEST 2054.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY WASHINGTON LYING SOUTH OF THE FOLLOWING DESCRIBED LINE;

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANT 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHTLINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.00 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD.

2013-037751 ASSGN
11/13/2013 12:19:30 PM Pages: 11 Fee: \$82.00
Tri City Title & Escrow
Benton County, Benton County Auditor's Office



RETURN ADDRESS:

Banner Bank
Bothell Loan Service
Center
P.O. Box 1589
Bothell, WA 98041

TRI-CITY TITLE & ESCROW

13-14841 KIH

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ASSIGNMENT OF RENTS

Reference # (if applicable): _____

Additional on page _____

Grantor(s):

1. Bethel Church of Richland, Washington

Grantee(s)

1. Banner Bank

Legal Description: Portion of S2S2SW and S2SWSE of 22-9-28

Additional on page 9

Assessor's Tax Parcel ID#:

1-2298-400-0005-000; 1-2298-300-0009-003; 1-2298-400-0009-003;
1-2298-300-0006-002; 1-2298-300-0006-003

THIS ASSIGNMENT OF RENTS dated November 7, 2013, is made and executed between Bethel Church of Richland, Washington, who acquired title as Bethel Church, a Washington non-profit corporation; whose address is 600 Shockley Road, Richland, WA 99352 (referred to below as "Grantor") and Banner Bank, whose mailing address is 8203 W. Quinault Ste 500, Kennewick, WA 99336 (referred to below as "Lender").

**ASSIGNMENT OF RENTS
(Continued)**

Loan No: 72157275

Page 2

ASSIGNMENT. For valuable consideration, Grantor hereby assigns, grants a continuing security interest in, and conveys to Lender all of Grantor's right, title, and interest in and to the Rents from the following described Property located in Benton County, State of Washington:

See Exhibit A, which is attached to this Assignment and made a part of this Assignment as if fully set forth herein.

The Property or its address is commonly known as 600 and 626 Shockley Road, Richland, WA 99352. The Property tax identification number is 1-2298-400-0005-000; 1-2298-300-0009-003; 1-2298-400-0009-003; 1-2298-300-0006-002; 1-2298-300-0006-003.

CROSS-COLLATERALIZATION. In addition to the Note, this Assignment secures the following described additional indebtedness: all obligations, debts and liabilities, plus interest thereon, of Grantor to Lender, or any one or more of them, as well as all claims by Lender against Grantor or any one or more of them, whether now existing or hereafter arising, whether related or unrelated to the purpose of the Note, whether voluntary or otherwise, whether due or not due, direct or indirect, determined or undetermined, absolute or contingent, liquidated or unliquidated, whether Grantor may be liable individually or jointly with others, whether obligated as guarantor, surety, accommodation party or otherwise, and whether recovery upon such amounts may be or hereafter may become barred by any statute of limitations, and whether the obligation to repay such amounts may be or hereafter may become otherwise unenforceable. Specifically, without limitation, this Agreement secures all obligations of Grantor arising under any interest rate, credit, commodity or equity swap, cap, floor, collar, forward foreign exchange transaction, currency swap, cross currency rate swap, currency option, securities puts, calls, collars, options or forwards or any combination of, or option with respect to, these or similar transactions now or hereafter entered into between Grantor and Lender.

THIS ASSIGNMENT IS GIVEN TO SECURE (1) PAYMENT OF THE INDEBTEDNESS AND (2) PERFORMANCE OF ANY AND ALL OBLIGATIONS OF GRANTOR UNDER THE NOTE, THIS ASSIGNMENT, AND THE RELATED DOCUMENTS. THIS ASSIGNMENT IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:

PAYMENT AND PERFORMANCE. Except as otherwise provided in this Assignment or any Related Documents, Grantor shall pay to Lender all amounts secured by this Assignment as they become due, and shall strictly perform all of Grantor's obligations under this Assignment. Unless and until Lender exercises its right to collect the Rents as provided below and so long as there is no default under this Assignment, Grantor may remain in possession and control of and operate and manage the Property and collect the Rents, provided that the granting of the right to collect the Rents shall not constitute Lender's consent to the use of cash collateral in a bankruptcy proceeding.

GRANTOR'S REPRESENTATIONS AND WARRANTIES. Grantor warrants that:

Ownership. Grantor is entitled to receive the Rents free and clear of all rights, loans, liens, encumbrances, and claims except as disclosed to and accepted by Lender in writing.

Right to Assign. Grantor has the full right, power and authority to enter into this Assignment and to assign and convey the Rents to Lender.

No Prior Assignment. Grantor has not previously assigned or conveyed the Rents to any other person by any instrument now in force.

No Further Transfer. Grantor will not sell, assign, encumber, or otherwise dispose of any of Grantor's rights in the Rents except as provided in this Assignment.

LENDER'S RIGHT TO RECEIVE AND COLLECT RENTS. Lender shall have the right at any time, and even though no default shall have occurred under this Assignment, to collect and receive the Rents. For this purpose, Lender is hereby given and granted the following rights, powers and authority:

Notice to Tenants. Lender may send notices to any and all tenants of the Property advising them of this Assignment and directing all Rents to be paid directly to Lender or Lender's agent.

Enter the Property. Lender may enter upon and take possession of the Property; demand, collect and receive from the tenants or from any other persons liable therefor, all of the Rents; institute and carry on all legal proceedings necessary for the protection of the Property, including such proceedings as may be necessary to recover possession of the Property; collect the Rents and remove any tenant or tenants or other persons from the Property.

Maintain the Property. Lender may enter upon the Property to maintain the Property and keep the same in repair; to pay the costs thereof and of all services of all employees, including their equipment, and of all continuing costs

**ASSIGNMENT OF RENTS
(Continued)****Loan No: 72157275****Page 3**

and expenses of maintaining the Property in proper repair and condition, and also to pay all taxes, assessments and water utilities, and the premiums on fire and other insurance effected by Lender on the Property.

Compliance with Laws. Lender may do any and all things to execute and comply with the laws of the State of Washington and also all other laws, rules, orders, ordinances and requirements of all other governmental agencies affecting the Property.

Lease the Property. Lender may rent or lease the whole or any part of the Property for such term or terms and on such conditions as Lender may deem appropriate.

Employ Agents. Lender may engage such agent or agents as Lender may deem appropriate, either in Lender's name or in Grantor's name, to rent and manage the Property, including the collection and application of Rents.

Other Acts. Lender may do all such other things and acts with respect to the Property as Lender may deem appropriate and may act exclusively and solely in the place and stead of Grantor and to have all of the powers of Grantor for the purposes stated above.

No Requirement to Act. Lender shall not be required to do any of the foregoing acts or things, and the fact that Lender shall have performed one or more of the foregoing acts or things shall not require Lender to do any other specific act or thing.

APPLICATION OF RENTS. All costs and expenses incurred by Lender in connection with the Property shall be for Grantor's account and Lender may pay such costs and expenses from the Rents. Lender, in its sole discretion, shall determine the application of any and all Rents received by it; however, any such Rents received by Lender which are not applied to such costs and expenses shall be applied to the Indebtedness. All expenditures made by Lender under this Assignment and not reimbursed from the Rents shall become a part of the Indebtedness secured by this Assignment, and shall be payable on demand, with interest at the Note rate from date of expenditure until paid.

FULL PERFORMANCE. If Grantor pays all of the Indebtedness when due and otherwise performs all the obligations imposed upon Grantor under this Assignment, the Note, and the Related Documents, Lender shall execute and deliver to Grantor a suitable satisfaction of this Assignment and suitable statements of termination of any financing statement on file evidencing Lender's security interest in the Rents and the Property. Any termination fee required by law shall be paid by Grantor, if permitted by applicable law.

LENDER'S EXPENDITURES. If any action or proceeding is commenced that would materially affect Lender's interest in the Property or if Grantor fails to comply with any provision of this Assignment or any Related Documents, including but not limited to Grantor's failure to discharge or pay when due any amounts Grantor is required to discharge or pay under this Assignment or any Related Documents, Lender on Grantor's behalf may (but shall not be obligated to) take any action that Lender deems appropriate, including but not limited to discharging or paying all taxes, liens, security interests, encumbrances and other claims, at any time levied or placed on the Rents or the Property and paying all costs for insuring, maintaining and preserving the Property. All such expenditures incurred or paid by Lender for such purposes will then bear interest at the rate charged under the Note from the date incurred or paid by Lender to the date of repayment by Grantor. All such expenses will become a part of the Indebtedness and, at Lender's option, will (A) be payable on demand; (B) be added to the balance of the Note and be apportioned among and be payable with any installment payments to become due during either (1) the term of any applicable insurance policy; or (2) the remaining term of the Note; or (C) be treated as a balloon payment which will be due and payable at the Note's maturity. The Assignment also will secure payment of these amounts. Such right shall be in addition to all other rights and remedies to which Lender may be entitled upon Default.

DEFAULT. Each of the following, at Lender's option, shall constitute an Event of Default under this Assignment:

Payment Default. Grantor fails to make any payment when due under the Indebtedness.

Other Defaults. Grantor fails to comply with or to perform any other term, obligation, covenant or condition contained in this Assignment or in any of the Related Documents or to comply with or to perform any term, obligation, covenant or condition contained in any other agreement between Lender and Grantor.

Default on Other Payments. Failure of Grantor within the time required by this Assignment to make any payment for taxes or insurance, or any other payment necessary to prevent filing of or to effect discharge of any lien.

Default in Favor of Third Parties. Grantor defaults under any loan, extension of credit, security agreement, purchase or sales agreement, or any other agreement, in favor of any other creditor or person that may materially affect any of Grantor's property or ability to perform Grantor's obligations under this Assignment or any of the Related Documents.

Environmental Default. Failure of any party to comply with or perform when due any term, obligation, covenant or condition contained in any environmental agreement executed in connection with the Property.

False Statements. Any warranty, representation or statement made or furnished to Lender by Grantor or on Grantor's behalf under this Assignment or the Related Documents is false or misleading in any material respect,

**ASSIGNMENT OF RENTS
(Continued)****Loan No: 72157275****Page 4**

either now or at the time made or furnished or becomes false or misleading at any time thereafter.

Defective Collateralization. This Assignment or any of the Related Documents ceases to be in full force and effect (including failure of any collateral document to create a valid and perfected security interest or lien) at any time and for any reason.

Insolvency. The dissolution or termination of Grantor's existence as a going business, the insolvency of Grantor, the appointment of a receiver for any part of Grantor's property, any assignment for the benefit of creditors, any type of creditor workout, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Grantor.

Creditor or Forfeiture Proceedings. Commencement of foreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, repossession or any other method, by any creditor of Grantor or by any governmental agency against the Rents or any property securing the Indebtedness. This includes a garnishment of any of Grantor's accounts, including deposit accounts, with Lender. However, this Event of Default shall not apply if there is a good faith dispute by Grantor as to the validity or reasonableness of the claim which is the basis of the creditor or forfeiture proceeding and if Grantor gives Lender written notice of the creditor or forfeiture proceeding and deposits with Lender monies or a surety bond for the creditor or forfeiture proceeding, in an amount determined by Lender, in its sole discretion, as being an adequate reserve or bond for the dispute.

Property Damage or Loss. The Property is lost, stolen, substantially damaged, sold, or borrowed against.

Events Affecting Guarantor. Any of the preceding events occurs with respect to any guarantor, endorser, surety, or accommodation party of any of the Indebtedness or any guarantor, endorser, surety, or accommodation party dies or becomes incompetent, or revokes or disputes the validity of, or liability under, any Guaranty of the Indebtedness.

Adverse Change. A material adverse change occurs in Grantor's financial condition, or Lender believes the prospect of payment or performance of the Indebtedness is impaired.

Insecurity. Lender in good faith believes itself insecure.

Cure Provisions. If any default, other than a default in payment is curable and if Grantor has not been given a notice of a breach of the same provision of this Assignment within the preceding twelve (12) months, it may be cured if Grantor, after Lender sends written notice to Grantor demanding cure of such default: (1) cures the default within fifteen (15) days; or (2) if the cure requires more than fifteen (15) days, immediately initiates steps which Lender deems in Lender's sole discretion to be sufficient to cure the default and thereafter continues and completes all reasonable and necessary steps sufficient to produce compliance as soon as reasonably practical.

RIGHTS AND REMEDIES ON DEFAULT. Upon the occurrence of any Event of Default and at any time thereafter, Lender may exercise any one or more of the following rights and remedies, in addition to any other rights or remedies provided by law:

Accelerate Indebtedness. Lender shall have the right at its option without notice to Grantor to declare the entire Indebtedness immediately due and payable, including any prepayment penalty that Grantor would be required to pay.

Collect Rents. Lender shall have the right, without notice to Grantor, to take possession of the Property and collect the Rents, including amounts past due and unpaid, and apply the net proceeds, over and above Lender's costs, against the Indebtedness. In furtherance of this right, Lender shall have all the rights provided for in the Lender's Right to Receive and Collect Rents Section, above. If the Rents are collected by Lender, then Grantor irrevocably designates Lender as Grantor's attorney-in-fact to endorse instruments received in payment thereof in the name of Grantor and to negotiate the same and collect the proceeds. Payments by tenants or other users to Lender in response to Lender's demand shall satisfy the obligations for which the payments are made, whether or not any proper grounds for the demand existed. Lender may exercise its rights under this subparagraph either in person, by agent, or through a receiver.

Appoint Receiver. Lender shall have the right to have a receiver appointed to take possession of all or any part of the Property, with the power to protect and preserve the Property, to operate the Property preceding or pending foreclosure or sale, and to collect the Rents from the Property and apply the proceeds, over and above the cost of the receivership, against the Indebtedness. The receiver may serve without bond if permitted by law. Lender's right to the appointment of a receiver shall exist whether or not the apparent value of the Property exceeds the Indebtedness by a substantial amount. Employment by Lender shall not disqualify a person from serving as a receiver.

Other Remedies. Lender shall have all other rights and remedies provided in this Assignment or the Note or by law.

Election of Remedies. Election by Lender to pursue any remedy shall not exclude pursuit of any other remedy, and an election to make expenditures or to take action to perform an obligation of Grantor under this Assignment, after

**ASSIGNMENT OF RENTS
(Continued)****Loan No: 72157275****Page 5**

Grantor's failure to perform, shall not affect Lender's right to declare a default and exercise its remedies.

Attorneys' Fees; Expenses. If Lender institutes any suit or action to enforce any of the terms of this Assignment, Lender shall be entitled to recover such sum as the court may adjudge reasonable as attorneys' fees at trial and upon any appeal. Whether or not any court action is involved, and to the extent not prohibited by law, all reasonable expenses Lender incurs that in Lender's opinion are necessary at any time for the protection of its interest or the enforcement of its rights shall become a part of the Indebtedness payable on demand and shall bear interest at the Note rate from the date of the expenditure until repaid. Expenses covered by this paragraph include, without limitation, however subject to any limits under applicable law, Lender's attorneys' fees and Lender's legal expenses, whether or not there is a lawsuit, including attorneys' fees and expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services, the cost of searching records, obtaining title reports (including foreclosure reports), surveyors' reports, and appraisal fees, title insurance, and fees for the Trustee, to the extent permitted by applicable law. Grantor also will pay any court costs, in addition to all other sums provided by law.

MISCELLANEOUS PROVISIONS. The following miscellaneous provisions are a part of this Assignment:

Amendments. This Assignment, together with any Related Documents, constitutes the entire understanding and agreement of the parties as to the matters set forth in this Assignment. No alteration of or amendment to this Assignment shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

Caption Headings. Caption headings in this Assignment are for convenience purposes only and are not to be used to interpret or define the provisions of this Assignment.

Governing Law. This Assignment will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of Washington without regard to its conflicts of law provisions. This Assignment has been accepted by Lender in the State of Washington.

Merger. There shall be no merger of the interest or estate created by this assignment with any other interest or estate in the Property at any time held by or for the benefit of Lender in any capacity, without the written consent of Lender.

Interpretation. (1) In all cases where there is more than one Borrower or Grantor, then all words used in this Assignment in the singular shall be deemed to have been used in the plural where the context and construction so require. (2) If more than one person signs this Assignment as "Grantor," the obligations of each Grantor are joint and several. This means that if Lender brings a lawsuit, Lender may sue any one or more of the Grantors. If Borrower and Grantor are not the same person, Lender need not sue Borrower first, and that Borrower need not be joined in any lawsuit. (3) The names given to paragraphs or sections in this Assignment are for convenience purposes only. They are not to be used to interpret or define the provisions of this Assignment.

No Waiver by Lender. Lender shall not be deemed to have waived any rights under this Assignment unless such waiver is given in writing and signed by Lender. No delay or omission on the part of Lender in exercising any right shall operate as a waiver of such right or any other right. A waiver by Lender of a provision of this Assignment shall not prejudice or constitute a waiver of Lender's right otherwise to demand strict compliance with that provision or any other provision of this Assignment. No prior waiver by Lender, nor any course of dealing between Lender and Grantor, shall constitute a waiver of any of Lender's rights or of any of Grantor's obligations as to any future transactions. Whenever the consent of Lender is required under this Assignment, the granting of such consent by Lender in any instance shall not constitute continuing consent to subsequent instances where such consent is required and in all cases such consent may be granted or withheld in the sole discretion of Lender.

Notices. Subject to applicable law, and except for notice required or allowed by law to be given in another manner, any notice required to be given under this Assignment shall be given in writing, and shall be effective when actually delivered, when actually received by telefacsimile (unless otherwise required by law), when deposited with a nationally recognized overnight courier, or, if mailed, when deposited in the United States mail, as first class, certified or registered mail postage prepaid, directed to the addresses shown near the beginning of this Assignment. Any party may change its address for notices under this Assignment by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address. For notice purposes, Grantor agrees to keep Lender informed at all times of Grantor's current address. Subject to applicable law, and except for notice required or allowed by law to be given in another manner, if there is more than one Grantor, any notice given by Lender to any Grantor is deemed to be notice given to all Grantors.

Powers of Attorney. The various agencies and powers of attorney conveyed on Lender under this Assignment are granted for purposes of security and may not be revoked by Grantor until such time as the same are renounced by Lender.

Severability. If a court of competent jurisdiction finds any provision of this Assignment to be illegal, invalid, or unenforceable as to any circumstance, that finding shall not make the offending provision illegal, invalid, or

**ASSIGNMENT OF RENTS
(Continued)**

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unenforceable as to any other circumstance. If feasible, the offending provision shall be considered modified so that it becomes legal, valid and enforceable. If the offending provision cannot be so modified, it shall be considered deleted from this Assignment. Unless otherwise required by law, the illegality, invalidity, or unenforceability of any provision of this Assignment shall not affect the legality, validity or enforceability of any other provision of this Assignment.

Successors and Assigns. Subject to any limitations stated in this Assignment on transfer of Grantor's interest, this Assignment shall be binding upon and inure to the benefit of the parties, their successors and assigns. If ownership of the Property becomes vested in a person other than Grantor, Lender, without notice to Grantor, may deal with Grantor's successors with reference to this Assignment and the Indebtedness by way of forbearance or extension without releasing Grantor from the obligations of this Assignment or liability under the Indebtedness.

Time is of the Essence. Time is of the essence in the performance of this Assignment.

Waive Jury. All parties to this Assignment hereby waive the right to any jury trial in any action, proceeding, or counterclaim brought by any party against any other party.

Waiver of Homestead Exemption. Grantor hereby releases and waives all rights and benefits of the homestead exemption laws of the State of Washington as to all Indebtedness secured by this Assignment.

DEFINITIONS. The following capitalized words and terms shall have the following meanings when used in this Assignment. Unless specifically stated to the contrary, all references to dollar amounts shall mean amounts in lawful money of the United States of America. Words and terms used in the singular shall include the plural, and the plural shall include the singular, as the context may require. Words and terms not otherwise defined in this Assignment shall have the meanings attributed to such terms in the Uniform Commercial Code:

Assignment. The word "Assignment" means this ASSIGNMENT OF RENTS, as this ASSIGNMENT OF RENTS may be amended or modified from time to time, together with all exhibits and schedules attached to this ASSIGNMENT OF RENTS from time to time.

Borrower. The word "Borrower" means Bethel Church of Richland, Washington.

Default. The word "Default" means the Default set forth in this Assignment in the section titled "Default".

Event of Default. The words "Event of Default" mean any of the events of default set forth in this Assignment in the default section of this Assignment.

Grantor. The word "Grantor" means Bethel Church of Richland, Washington.

Guaranty. The word "Guaranty" means the guaranty from guarantor, endorser, surety, or accommodation party to Lender, including without limitation a guaranty of all or part of the Note.

Indebtedness. The word "Indebtedness" means all principal, interest, and other amounts, costs and expenses payable under the Note or Related Documents, together with all renewals of, extensions of, modifications of, consolidations of and substitutions for the Note or Related Documents and any amounts expended or advanced by Lender to discharge Grantor's obligations or expenses incurred by Lender to enforce Grantor's obligations under this Assignment, together with interest on such amounts as provided in this Assignment. Specifically, without limitation, Indebtedness includes all amounts that may be indirectly secured by the Cross-Collateralization provision of this Assignment.

Lender. The word "Lender" means Banner Bank, its successors and assigns.

Note. The word "Note" means and includes without limitation all of Borrower's promissory notes and/or credit agreements evidencing Borrower's loan obligations in favor of Lender, together with all renewals of, extensions of, modifications of, refinancing of, consolidations of, and substitutions for Note or credit agreement.

Property. The word "Property" means all of Grantor's right, title and interest in and to all the Property as described in the "Assignment" section of this Assignment.

Related Documents. The words "Related Documents" mean all promissory notes, credit agreements, loan agreements, environmental agreements, guaranties, security agreements, mortgages, deeds of trust, security deeds, collateral mortgages, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the Indebtedness.

Rents. The word "Rents" means all of Grantor's present and future rights, title and interest in, to and under any and all present and future leases, including, without limitation, all rents, revenue, income, issues, royalties, bonuses, accounts receivable, cash or security deposits, advance rentals, profits and proceeds from the Property, and other payments and benefits derived or to be derived from such leases of every kind and nature, whether due now or later, including without limitation Grantor's right to enforce such leases and to receive and collect payment and proceeds thereunder.

ASSIGNMENT OF RENTS (Continued)

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THE UNDERSIGNED ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS ASSIGNMENT, AND NOT PERSONALLY BUT AS AN AUTHORIZED SIGNER, HAS CAUSED THIS ASSIGNMENT TO BE SIGNED AND EXECUTED ON BEHALF OF GRANTOR ON NOVEMBER 7, 2013.

GRANTOR:

BETHEL CHURCH OF RICHLAND, WASHINGTON

By: [Signature]

George Bacho, Church Chairman / Executive Pastor of Bethel Church of Richland, Washington

By: [Signature]

Tom Mathieu, Church Treasurer of Bethel Church of Richland, Washington

CORPORATE ACKNOWLEDGMENT

STATE OF WashingtonCOUNTY OF Snohomish)))
SS)

**Notary Public
State of Washington
TAMARA D. DEAN
MY COMMISSION EXPIRES
June 10, 2014**

On this 13 day of November, 20 13, before me, the undersigned Notary Public, personally appeared George Bacho, Church Chairman / Executive Pastor of Bethel Church of Richland, Washington, and personally known to me or proved to me on the basis of satisfactory evidence to be an authorized agent of the corporation that executed the ASSIGNMENT OF RENTS and acknowledged the Assignment to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Assignment and in fact executed the Assignment on behalf of the corporation.

By: [Signature]Notary Public in and for the State of WAResiding at [Signature]My commission expires June 10, 2014

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(Continued)**

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CORPORATE ACKNOWLEDGMENT

STATE OF

COUNTY OF

Notary Public
State of Washington
TAMARA D. DEAN
MY COMMISSION EXPIRES
June 10, 2014

On this 13 day of NOVEMBER, 2013, before me, the undersigned Notary Public, personally appeared Tom Mathieu, Church Treasurer of Bethel Church of Richland, Washington, and personally known to me or proved to me on the basis of satisfactory evidence to be an authorized agent of the corporation that executed the ASSIGNMENT OF RENTS and acknowledged the Assignment to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Assignment and in fact executed the Assignment on behalf of the corporation.

By

Residing at

Notary Public in and for the State of

My commission expires

Parcel AExhibit A

THE PORTION OF THE SOUTH ONE HALF OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 29 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON DEFINED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 89°53'20" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 582.91 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY MARGIN OF KEENE ROAD RIGHT OF WAY; THENCE NORTH 48°25'56" WEST ALONG SAID MARGIN A DISTANCE OF 45.31 FEET TO THE EAST CORNER OF THE TRACT OF LAND DESCRIBED AND SHOWN ON THE SURVEY #567; THENCE CONTINUING NORTH 48°25'56" WEST ALONG SAID MARGIN A DISTANCE OF 520.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 41°34'04" WEST A DISTANCE OF 400 FEET; THENCE NORTH 48°25'56" WEST A DISTANCE OF 272.25 FEET; THENCE NORTH 41°34'04" EAST A DISTANCE OF 400 FEET TO THE AFORE SAID MARGIN; THENCE SOUTH 48°25'56" EAST ALONG SAID MARGIN A DISTANCE OF 272.25 FEET TO THE TRUE POINT OF BEGINNING.

Parcel B

THAT PORTION OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, RECORDS OF BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS;

THE SOUTH 826.9 FEET OF THE SOUTHWEST, EXCEPT THE WEST 2054.4 FEET THEREOF; ALSO THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER LYING SOUTHERLY OF THE KEENE ROAD EXCEPT THE SOUTH 30 FEET;

EXCEPT PORTION OF THE SOUTH ONE HALF OF SECTION 22 DEFINED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22; THENCE NORTH 89°53'20" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 582.91 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY MARGIN OF KEENE ROAD RIGHT OF WAY; THENCE NORTH 48°25'56" WEST ALONG MARGIN A DISTANCE OF 45.31 FEET TO THE EAST CORNER OF THE TRACT OF LAND DESCRIBED AND SHOWN ON THE SURVEY #567; THENCE CONTINUING NORTH 48°25'56" WEST ALONG SAID MARGIN A DISTANCE OF 520.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 41°34'04" WEST A DISTANCE OF 400 FEET; THENCE NORTH 48°25'56" WEST A DISTANCE OF 272.25 FEET; THENCE NORTH 41°34'04" EAST A DISTANCE OF 400 FEET TO THE AFORE SAID MARGIN; THENCE SOUTH 48°25'56" EAST ALONG SAID MARGIN A DISTANCE OF 272.25 FEET TO THE TRUE POINT OF BEGINNING;

AND EXCEPT THAT PORTION OF THE SOUTH HALF OF SAID SECTION 22, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 89°53'20" WEST, 609.28 FEET ALONG THE SOUTH LINE OF SAID SECTION 22 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE NORTH 48°25'56" WEST, 45.31 FEET ALONG SAID SOUTHWESTERLY LINE TO THE NORTH RIGHT OF WAY LINE OF SHOCKLEY ROAD; THENCE NORTH 89°53'20" WEST, 859.14 FEET ALONG SAID NORTH LINE TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°53'20" WEST, 398.03 FEET ALONG SAID NORTH LINE TO A POINT ON THE EAST LINE OF THE WEST 2054.4 FEET OF SAID SOUTH HALF OF SECTION 22; THENCE NORTH 1°22'48" EAST, 797.10 FEET ALONG SAID EAST LINE TO A POINT ON THE NORTH LINE OF THE SOUTH 826.9 FEET OF SAID SECTION 22; THENCE SOUTH 89°53'20" EAST 337.42 FEET ALONG SAID NORTH LINE TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE SOUTH 48°25'56" EAST 410.68 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 41°34'04" WEST, 400 FEET; THENCE SOUTH 0°06'40" WEST, 225.23 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89°13'34" EAST ALONG THE SOUTH LINE OF SAID SECTION 22 AND THE CENTERLINE OF SHOCKLEY ROAD A DISTANCE OF 305.03 FEET; THENCE NORTH 00°46'26" WEST A DISTANCE OF 30.00 FEET TO A POINT OF CURVE, BEING THE NORTHERLY MARGIN OF SAID SHOCKLEY ROAD AND THE TRUE POINT OF BEGINNING; THENCE ALONG A NON-RADIAL CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 12°02'36" A RADIUS OF 280.00 FEET, A CHORD BEARING OF NORTH 44°59'28" EAST, AN ARC DISTANCE OF 58.86 FEET; THENCE NORTH 38°58'10" EAST A DISTANCE OF 186.31 FEET TO THE WESTERLY MARGIN OF KEENE ROAD; THENCE SOUTH 49°19'33" EAST ALONG SAID WESTERLY MARGIN A DISTANCE OF 278.34 FEET TO THE NORTHERLY MARGIN OF SHOCKLEY ROAD; THENCE SOUTH 89°13'34" WEST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 369.84 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89°13'34" EAST ALONG THE

SOUTH LINE OF SAID SECTION 22, BEING THE CENTERLINE OF SHOCKLEY ROAD, A DISTANCE OF 131.82 FEET TO THE POINT OF CURVE FOR THE REALIGNMENT OF SAID SHOCKLEY ROAD; THENCE NORTH $00^{\circ}46'26''$ WEST A DISTANCE OF 30.00 FEET TO A POINT OF CURVE, BEING THE NORTHERLY MARGIN OF SAID SHOCKLEY ROAD AND THE TRUE POINT OF BEGINNING; THENCE ALONG A NON-RADIAL CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF $50^{\circ}15'24''$, A RADIUS OF 220.00 FEET, A CHORD BEARING OF NORTH $64^{\circ}05'52''$ EAST, AN ARC DISTANCE OF 192.97 FEET; THENCE NORTH $38^{\circ}58'10''$ EAST A DISTANCE OF 188.10 FEET TO THE WESTERLY MARGIN OF KEENE ROAD; THENCE SOUTH $49^{\circ}19'33''$ EAST ALONG SAID WESTERLY MARGIN A DISTANCE OF 60.03 FEET; THENCE SOUTH $38^{\circ}58'10''$ WEST A DISTANCE OF 186.31 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF $12^{\circ}02'36''$, A RADIUS OF 280.00 FEET, AN ARC DISTANCE OF 58.86 FEET TO THE SAID NORTHERLY MARGIN OF SHOCKLEY ROAD; THENCE $89^{\circ}13'34''$ WEST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 173.21 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION FOR ROAD RIGHT OF WAY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 22; THENCE NORTH $89^{\circ}13'34''$ EAST ALONG THE SOUTH LINE OF SAID SECTION 22, BEING THE CENTERLINE OF SHOCKLEY ROAD A DISTANCE OF 131.82 FEET TO THE POINT OF A CURVE FOR THE REALIGNMENT OF SAID SHOCKLEY ROAD AS RECORDED UNDER AF#1999-037333 RECORDS OF SAID COUNTY AND STATE; THENCE NORTH $00^{\circ}46'26''$ WEST A DISTANCE OF 30.00 FEET TO A POINT OF CURVE BEING THE NORTHERLY MARGIN OF SAID SHOCKLEY ROAD; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT SAID CURVE HAVING A CENTRAL ANGLE OF $50^{\circ}15'24''$ HAVING A RADIUS OF 220.00 FEET AND HAVING A CHORD BEARING OF NORTH $64^{\circ}05'52''$ EAST AN ARC DISTANCE OF 192.97 FEET ALONG SAID NORTHERLY MARGIN; THENCE NORTH $38^{\circ}58'10''$ EAST A DISTANCE OF 188.10 FEET ALONG SAID NORTHERLY MARGIN TO A POINT ON THE WESTERLY MARGIN OF KEENE ROAD AND THE TRUE POINT OF BEGINNING; THENCE SOUTH $38^{\circ}58'10''$ WEST A DISTANCE OF 7.00 FEET ALONG SAID NORTHERLY MARGIN; THENCE NORTH $08^{\circ}52'51''$ WEST A DISTANCE OF 10.79 FEET LEAVING SAID NORTHERLY MARGIN TO A POINT ON SAID WESTERLY MARGIN; THENCE SOUTH $49^{\circ}19'33''$ EAST A DISTANCE OF 8.00 FEET ALONG SAID WESTERLY MARGIN OF KEENE ROAD BACK TO THE TRUE POINT OF BEGINNING.

Parcel C

THE WEST 268.37 FEET OF THE EAST 1131.63 FEET OF THE PORTION OF THE WEST 2054.40 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, LYING SOUTH OF THE FOLLOWING DESCRIPTION LINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANCE 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.40 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIPTION LINE;

EXCEPT THE SOUTH 30 FEET FOR ROADS.

Parcel D

THE WEST 284.02 FEET OF THE EAST 845.31 FEET OF THE PORTION OF THE WEST 2054.40 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, LYING SOUTH OF THE FOLLOWING DESCRIPTION LINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANCE 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 733 FEET THENCE EASTERLY IN A STRAIGHT LINE TO A POINT OF EAST LINE OF SAID WEST 2054.40 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIPTION LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROADS.

Parcel E

THAT PORTION OF THE SOUTH HALF OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. RECORDS OF BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH $89^{\circ}53'20''$ WEST 609.28 FEET ALONG THE SOUTH LINE OF SAID SECTION 22 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE NORTH $48^{\circ}25'56''$ WEST 45.31 FEET ALONG SAID SOUTHWESTERLY LINE TO THE NORTH RIGHT OF WAY LINE OF SHOCKLEY ROAD; THENCE NORTH $89^{\circ}53'20''$ WEST 859.14 FEET ALONG SAID NORTH LINE TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH $89^{\circ}53'20''$ WEST 398.03 FEET ALONG SAID NORTH LINE TO A POINT ON THE EAST LINE OF THE WEST 2054.4 FEET OF SAID SOUTH

HALF OF SECTION 22; THENCE NORTH $1^{\circ}22'48''$ EAST 797.10 FEET ALONG SAID EAST LINE TO A POINT ON THE NORTH LINE OF THE SOUTH 826.9 FEET OF SAID SECTION 22; THENCE SOUTH $89^{\circ}53'20''$ EAST 337.42 FEET ALONG SAID NORTH LINE TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE SOUTH $48^{\circ}25'56''$ EAST 410.68 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH $41^{\circ}34'04''$ WEST 400.00 FEET; THENCE SOUTH $00^{\circ}06'40''$ WEST 225.23 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH THE WEST 281.75 FEET TO THE EAST 561.29 FEET OF THAT PORTION OF THE WEST 2054.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON LYING SOUTH OF THE FOLLOWING DESCRIBED LINE;

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION A DISTANCE OF 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.00 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD;

TOGETHER WITH THE EAST 279.54 FEET OF THAT PORTION OF THE WEST 2054.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY WASHINGTON LYING SOUTH OF THE FOLLOWING DESCRIBED LINE;

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANT 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHTLINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.00 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD.

2013-037752 UCC

11/13/2013 12:19:30 PM Pages: 5 Fee: \$76.00

Tri City Title & Escrow

Benton County, Benton County Auditor's Office



UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS

A. NAME & PHONE OF CONTACT AT FILER (optional)

B. E-MAIL CONTACT AT FILER (optional)

C. SEND ACKNOWLEDGMENT TO: (Name and Address)

Banner Bank
8203 W. Quinault Ste 500
Kennewick, WA 99336

1314841 KUH

TRI-CITY TITLE & ESCROW

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY 76

1. DEBTOR'S NAME: Provide only one Debtor name (1a or 1b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the Individual Debtor's name will not fit in line 1b, leave all of item 1 blank, check here ☐ and provide the Individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad)

1a. ORGANIZATION'S NAME

Bethel Church of Richland, Washington

OR

1b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

1c. MAILING ADDRESS

600 Shockley Road

CITY

Richland

STATE

WA

POSTAL CODE

99362

COUNTRY

USA

2. DEBTOR'S NAME: Provide only one Debtor name (2a or 2b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the Individual Debtor's name will not fit in line 2b, leave all of item 2 blank, check here ☐ and provide the Individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad)

2a. ORGANIZATION'S NAME

OR

2b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

2c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

3. SECURED PARTY'S NAME (or NAME of ASSIGNEE of ASSIGNOR SECURED PARTY): Provide only one Secured Party name (3a or 3b)

3a. ORGANIZATION'S NAME

Banner Bank

OR

3b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

3c. MAILING ADDRESS

8203 W. Quinault Ste 500

CITY

Kennewick

STATE

WA

POSTAL CODE

99336

COUNTRY

USA

4. COLLATERAL: This financing statement covers the following collateral:

All Fixtures located at 600 and 626 Shockley Road, Richland, WA 99362; whether any of the foregoing is owned now or acquired later; all accessions, additions, replacements, and substitutions relating to any of the foregoing; all records of any kind relating to any of the foregoing

Short Legal: Portion of S2S2SW and S2SWSE of 22-9-28

Tax Parcel No.: 1-2298-400-0005-000; 1-2298-300-0009-003; 1-2298-400-0009-003; 1-2298-300-0006-002; 1-2298-300-0006-003.

5. Check only if applicable and check only one box: Collateral is ☐ held in a Trust (see UCC1Ad, item 17 and instructions) ☐ being administered by a Decedent's Personal Representative

6a. Check only if applicable and check only one box:

☐ Public-Finance Transaction ☐ Manufactured-Home Transaction ☐ A Debtor is a Transmitting Utility

6b. Check only if applicable and check only one box:

☐ Agricultural Lien ☐ Non-UCC Filing

7. ALTERNATIVE DESIGNATION (if applicable): ☐ Lessee/Lessor ☐ Consignee/Consignor ☐ Seller/Buyer ☐ Bailor/Bailor ☐ Licensee/Licensee

8. OPTIONAL FILER REFERENCE DATA:

UCC FINANCING STATEMENT ADDENDUM**FOLLOW INSTRUCTIONS**

9. NAME OF FIRST DEBTOR: Same as line 1a or 1b on Financing Statement; if line 1b was left blank because Individual Debtor name did not fit, check here ☐

9a. ORGANIZATION'S NAME

Bethel Church of Richland, Washington

OR

9b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

10. DEBTOR'S NAME: Provide (10a or 10b) only one additional Debtor name or Debtor name that did not fit in line 1b or 2b of the Financing Statement (Form UCC1) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name) and enter the mailing address in line 10c

10a. ORGANIZATION'S NAME

OR

10b. INDIVIDUAL'S SURNAME

INDIVIDUAL'S FIRST PERSONAL NAME

INDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

10c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

11. ☐ ADDITIONAL SECURED PARTY'S NAME or ☐ ASSIGNOR SECURED PARTY'S NAME: Provide only one name (11a or 11b)

11a. ORGANIZATION'S NAME

OR

11b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

11c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

12. ADDITIONAL SPACE FOR ITEM 4 (Collateral):

13. ☒ This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS (if applicable)

14. This FINANCING STATEMENT:

☐ covers timber to be cut ☐ covers as-extracted collateral ☒ is filed as a fixture filing

15. Name and address of a RECORD OWNER of real estate described in Item 16 (if Debtor does not have a record interest):

16. Description of real estate:
Exhibit A.

17. MISCELLANEOUS:

Exhibit A**Parcel A**

THE PORTION OF THE SOUTH ONE HALF OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 29 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON DEFINED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 89°53'20" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 582.91 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY MARGIN OF KEENE ROAD RIGHT OF WAY; THENCE NORTH 48°25'56" WEST ALONG SAID MARGIN A DISTANCE OF 45.31 FEET TO THE EAST CORNER OF THE TRACT OF LAND DESCRIBED AND SHOWN ON THE SURVEY #567; THENCE CONTINUING NORTH 48°25'56" WEST ALONG SAID MARGIN A DISTANCE OF 520.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 41°34'04" WEST A DISTANCE OF 400 FEET; THENCE NORTH 48°25'56" WEST A DISTANCE OF 272.25 FEET; THENCE NORTH 41°34'04" EAST A DISTANCE OF 400 FEET TO THE AFORE SAID MARGIN; THENCE SOUTH 48°25'56" EAST ALONG SAID MARGIN A DISTANCE OF 272.25 FEET TO THE TRUE POINT OF BEGINNING.

Parcel B

THAT PORTION OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, RECORDS OF BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS;

THE SOUTH 826.9 FEET OF THE SOUTHWEST, EXCEPT THE WEST 2054.4 FEET THEREOF; ALSO THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER LYING SOUTHERLY OF THE KEENE ROAD EXCEPT THE SOUTH 30 FEET;

EXCEPT PORTION OF THE SOUTH ONE HALF OF SECTION 22 DEFINED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22; THENCE NORTH 89°53'20" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 582.91 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY MARGIN OF KEENE ROAD RIGHT OF WAY; THENCE NORTH 48°25'56" WEST ALONG MARGIN A DISTANCE OF 45.31 FEET TO THE EAST CORNER OF THE TRACT OF LAND DESCRIBED AND SHOWN ON THE SURVEY #567; THENCE CONTINUING NORTH 48°25'56" WEST ALONG SAID MARGIN A DISTANCE OF 520.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 41°34'04" WEST A DISTANCE OF 400 FEET; THENCE NORTH 48°25'56" WEST A DISTANCE OF 272.25 FEET; THENCE NORTH 41°34'04" EAST A DISTANCE OF 400 FEET TO THE AFORE SAID MARGIN; THENCE SOUTH 48°25'56" EAST ALONG SAID MARGIN A DISTANCE OF 272.25 FEET TO THE TRUE POINT OF BEGINNING;

AND EXCEPT THAT PORTION OF THE SOUTH HALF OF SAID SECTION 22, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 89°53'20" WEST, 609.28 FEET ALONG THE SOUTH LINE OF SAID SECTION 22 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE NORTH 48°25'56" WEST, 45.31 FEET ALONG SAID SOUTHWESTERLY LINE TO THE NORTH RIGHT OF WAY LINE OF SHOCKLEY ROAD; THENCE NORTH 89°53'20" WEST, 859.14 FEET ALONG SAID NORTH LINE TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°53'20" WEST, 398.03 FEET ALONG SAID NORTH LINE TO A POINT ON THE EAST LINE OF THE WEST 2054.4 FEET OF SAID SOUTH HALF OF SECTION 22; THENCE NORTH 1°22'48" EAST, 797.10 FEET ALONG SAID EAST LINE TO A POINT ON THE NORTH LINE OF THE SOUTH 826.9 FEET OF SAID SECTION 22; THENCE SOUTH 89°53'20" EAST 337.42 FEET ALONG SAID NORTH LINE TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE SOUTH 48°25'56" EAST 410.68 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 41°34'04" WEST, 400 FEET; THENCE SOUTH 0°06'40" WEST, 225.23 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89°13'34" EAST ALONG THE SOUTH LINE OF SAID SECTION 22 AND THE CENTERLINE OF SHOCKLEY ROAD A DISTANCE OF 305.03 FEET; THENCE NORTH 00°46'26" WEST A DISTANCE OF 30.00 FEET TO A POINT OF CURVE, BEING THE NORTHERLY MARGIN OF SAID SHOCKLEY ROAD AND THE TRUE POINT OF BEGINNING; THENCE ALONG A NON-RADIAL CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 12°02'36" A RADIUS OF 280.00 FEET, A CHORD BEARING OF NORTH 44°59'28" EAST, AN ARC DISTANCE OF 58.86 FEET; THENCE NORTH 38°58'10" EAST A DISTANCE OF 186.31 FEET TO THE WESTERLY MARGIN OF KEENE ROAD; THENCE SOUTH 49°19'33" EAST ALONG SAID WESTERLY MARGIN A DISTANCE OF 278.34 FEET TO THE NORTHERLY MARGIN OF SHOCKLEY ROAD; THENCE SOUTH 89°13'34" WEST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 369.84 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89°13'34" EAST ALONG THE

SOUTH LINE OF SAID SECTION 22, BEING THE CENTERLINE OF SHOCKLEY ROAD, A DISTANCE OF 131.82 FEET TO THE POINT OF CURVE FOR THE REALIGNMENT OF SAID SHOCKLEY ROAD; THENCE NORTH 00°46'26" WEST A DISTANCE OF 30.00 FEET TO A POINT OF CURVE, BEING THE NORTHERLY MARGIN OF SAID SHOCKLEY ROAD AND THE TRUE POINT OF BEGINNING; THENCE ALONG A NON-RADIAL CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 50°15'24", A RADIUS OF 220.00 FEET, A CHORD BEARING OF NORTH 64°05'52" EAST, AN ARC DISTANCE OF 192.97 FEET; THENCE NORTH 38°58'10" EAST A DISTANCE OF 188.10 FEET TO THE WESTERLY MARGIN OF KEENE ROAD; THENCE SOUTH 49°19'33" EAST ALONG SAID WESTERLY MARGIN A DISTANCE OF 60.03 FEET; THENCE SOUTH 38°58'10" WEST A DISTANCE OF 186.31 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 12°02'36", A RADIUS OF 280.00 FEET, AN ARC DISTANCE OF 58.86 FEET TO THE SAID NORTHERLY MARGIN OF SHOCKLEY ROAD; THENCE 89°13'34" WEST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 173.21 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION FOR ROAD RIGHT OF WAY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89°13'34" EAST ALONG THE SOUTH LINE OF SAID SECTION 22, BEING THE CENTERLINE OF SHOCKLEY ROAD A DISTANCE OF 131.82 FEET TO THE POINT OF A CURVE FOR THE REALIGNMENT OF SAID SHOCKLEY ROAD AS RECORDED UNDER AF#1999-037333 RECORDS OF SAID COUNTY AND STATE; THENCE NORTH 00°46'26" WEST A DISTANCE OF 30.00 FEET TO A POINT OF CURVE BEING THE NORTHERLY MARGIN OF SAID SHOCKLEY ROAD; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT SAID CURVE HAVING A CENTRAL ANGLE OF 50°15'24" HAVING A RADIUS OF 220.00 FEET AND HAVING A CHORD BEARING OF NORTH 64°05'52" EAST AN ARC DISTANCE OF 192.97 FEET ALONG SAID NORTHERLY MARGIN; THENCE NORTH 38°58'10" EAST A DISTANCE OF 188.10 FEET ALONG SAID NORTHERLY MARGIN TO A POINT ON THE WESTERLY MARGIN OF KEENE ROAD AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 38°58'10" WEST A DISTANCE OF 7.00 FEET ALONG SAID NORTHERLY MARGIN; THENCE NORTH 08°52'51" WEST A DISTANCE OF 10.79 FEET LEAVING SAID NORTHERLY MARGIN TO A POINT ON SAID WESTERLY MARGIN; THENCE SOUTH 49°19'33" EAST A DISTANCE OF 8.00 FEET ALONG SAID WESTERLY MARGIN OF KEENE ROAD BACK TO THE TRUE POINT OF BEGINNING.

Parcel C

THE WEST 268.37 FEET OF THE EAST 1131.63 FEET OF THE PORTION OF THE WEST 2054.40 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, LYING SOUTH OF THE FOLLOWING DESCRIPTION LINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANCE 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.40 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIPTION LINE;

EXCEPT THE SOUTH 30 FEET FOR ROADS.

Parcel D

THE WEST 284.02 FEET OF THE EAST 845.31 FEET OF THE PORTION OF THE WEST 2054.40 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, LYING SOUTH OF THE FOLLOWING DESCRIPTION LINE:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANCE 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 733 FEET THENCE EASTERLY IN A STRAIGHT LINE TO A POINT OF EAST LINE OF SAID WEST 2054.40 FEET WHICH IS 827.10 NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIPTION LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROADS.

Parcel E

THAT PORTION OF THE SOUTH HALF OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. RECORDS OF BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22; THENCE NORTH 89°53'20" WEST 609.28 FEET ALONG THE SOUTH LINE OF SAID SECTION 22 TO ITS INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE NORTH 48°25'56" WEST 45.31 FEET ALONG SAID SOUTHWESTERLY LINE TO THE NORTH RIGHT OF WAY LINE OF SHOCKLEY ROAD; THENCE NORTH 89°53'20" WEST 859.14 FEET ALONG SAID NORTH LINE TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°53'20" WEST 398.03 FEET ALONG SAID NORTH LINE TO A POINT ON THE EAST LINE OF THE WEST 2054.4 FEET OF SAID SOUTH

HALF OF SECTION 22; THENCE NORTH $1^{\circ}22'48''$ EAST 797.10 FEET ALONG SAID EAST LINE TO A POINT ON THE NORTH LINE OF THE SOUTH 826.9 FEET OF SAID SECTION 22; THENCE SOUTH $89^{\circ}53'20''$ EAST 337.42 FEET ALONG SAID NORTH LINE TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF KEENE ROAD; THENCE SOUTH $48^{\circ}25'56''$ EAST 410.68 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH $41^{\circ}34'04''$ WEST 400.00 FEET; THENCE SOUTH $00^{\circ}06'40''$ WEST 225.23 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH THE WEST 281.75 FEET TO THE EAST 561.29 FEET OF THAT PORTION OF THE WEST 2054.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON LYING SOUTH OF THE FOLLOWING DESCRIBED LINE;

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION A DISTANCE OF 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.00 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD;

TOGETHER WITH THE EAST 279.54 FEET OF THAT PORTION OF THE WEST 2054.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY WASHINGTON LYING SOUTH OF THE FOLLOWING DESCRIBED LINE;

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION DISTANT 797.55 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 733 FEET; THENCE EASTERLY IN A STRAIGHTLINE TO A POINT ON THE EAST LINE OF SAID WEST 2054.00 FEET WHICH IS 827.10 FEET NORTH OF THE SOUTH LINE OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE;

EXCEPT THE SOUTH 30 FEET THEREOF FOR ROAD.

NORTH STONE RICHLAND, LLC

PO Box 516 - Stayton, OR 97383

Office: 503-769-3436 Fax: 503-769-7358

Zone Change Request Letter

2/26/2019

City of Richland
C/O Planning Dept
505 Swift Blvd MS-02
Richland Washington 99352

This letter is a formal request from North Stone Richland, LLC to process the Amendments to the Comp Plan and Zone Change for the property described within the applications submitted, this property has been referred to as Future Crystal Springs Subdivision site. Recognizing the City of Richland owns the majority of the property within the future Crystal Springs Subdivision and that North Stone Richland LLC is the Purchase Optionee, the parties have cooperated in the past 15 years in submitting numerous applications for zone changes, site plan reviews and preliminary plats on properties not yet 100% under North Stone Richland, LLC ownership.

The application attached describes the Comp Plan Designation to be amended from Low Density Residential (LDR) to Medium Density Residential (MDR) and the Zoning to be changed from R-1-10 & R-2 to R-2S Zone.

The MDR and R-2S Zone is preferred by the developer because it is more consistent with the Zoning surrounding the property and the R-2S Zone provides more flexibility for side yard, front yard, rear yard setbacks and 50% lot coverage ratio which is more compatible with the Home Sizes and Lot Sizes that have been constructed in this area of the Master Planned Community, in the past Subdivisions names Copperleaf, Grayhawk, Wild Canyon and approved in Quail Ridge Preliminary Plat.

Sincerely,



Jon Bockslar
Manager of Santiam Development Company, LLC,
Manager of North Stone Richland, LLC


member



City of Richland
Development Services

505 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
☎ (509) 942-7764

Comprehensive Plan Amendment Application

☒ Comprehensive Plan Land Use Map

☐ Text of Comprehensive Plan

Note: A Pre-Application meeting is advised prior to submittal of an application

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: North Stone Richland, LLC

Address: PO Box 516 Stayton, OR 97383

Phone: 503-769-3436

Email: Rossb@nspor.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company:

UBI#

Contact:

Address:

Phone:

Email:

PROPERTY INFORMATION

Legal Description: A PORTION OF THE WEST-HALF OF SECTION 20 AND THE SW1/4 OF SECTION 19, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M., CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

SW portion of Horn Rapids Development - AKA southerly portion of Crystal Springs & Quail Ridge

Parcel # 120083000009010 - Southerly portions thereof

Current Zoning: R-1-10 and R-2

Current Land Use Designation: LDR

GENERAL REQUIREMENTS FOR ALL APPLICATIONS – Attach written statements explaining the following

1. Completed Application and Filing Fee;
2. The purpose of the proposed amendment;
3. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (The goals the Act are listed in 36.70A.020);
4. How the amendment is consistent with the adopted countywide planning policies;
5. How the amendment furthers the purpose of the city's comprehensive plan;
6. How the amendment is internally consistent with the city's comprehensive plan, as well as other adopted city plans and codes;
7. If applicable, how the project will meet concurrency requirements for transportation;
8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
9. Comprehensive Plan TEXT AMENDMENT applications must also include;
 - a. The proposed element, chapter, section and page number of the comp plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
10. Comprehensive Plan MAP AMENDMENT applications must also include;
 - a. The current land use map designation for the subject parcel(s).
 - b. The land use map designation requested.
 - c. A complete legal description describing the combined area of the subject parcel(s)
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All road abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;

- iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable
- v. The location of existing utilities serving the subject parcels including electrical, water and sewer;
- vi. The location and uses of existing structures located on the subject parcel(s);
- e. Topographical map of the subject parcels and abutting properties at a scale of a minimum of one inch represents 200 feet (1:200);
- f. The current official zoning map designation for the subject parcel(s);
- g. A detailed plan which indicates any proposed improve
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- h. A corresponding zoning map amendment application, where necessary to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- i. A description of any associated development proposals. Development proposals shall not be processed concurrent with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the city's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the city will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The city shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Ross E. Schuster

Applicant Signature: [Signature] Date 2/27/19

NORTH STONE RICHLAND, LLC

PO Box 516 - Stayton, OR 97383

Office: 503-769-3436 Fax: 503-769-7358

Comprehensive Plan Designation Amendment:

2/26/2019

Future, to be proposed, Crystal Springs Subdivision

The City of Richland owns a portion of the property and North Stone Richland LLC is the optionee or owns the remaining portions. The parties have cooperated over the past 15 years in submitting applications for Zone Changes, Site Plan Reviews and Preliminary Plats on properties not yet under North Stone Richland LLC ownership. This application is for portions within the Horn Rapids Master Planned Golf Community Property which lies within the future, to be proposed, Crystal Springs Preliminary Plat.

We are requesting a Comprehensive Plan Amendment to the narrow portion of property within the future Crystal Springs Subdivision, from Low Density Residential (LOR) to Medium Density Residential (MDR), which will allow for the requested Zone Change from R-1-10 to R-2S being compatible with the Comprehensive Plan.

Justification:

Reason for Crystal Springs Area Comprehensive Plan Amendment is to provide more flexibility for residential single-family detached house plans to conform within City of Richland setback and lot coverage standards. Currently under the Comprehensive Plan, a Low Density Residential Zone (LOR) does not provide for zoning classifications such as R-2 or R-2S. A separate application submitted concurrently requests to change the zoning from R-1-10 to R-2S and the R-2 portion within the Comprehensive Plan Designation of MDR to R-2S. The balance of property within the future Crystal Springs defined area will remain as Zoned R-3.

Sincerely,



Ron Bochsler

Manager of Santiam Development Company, LLC,
Manager of North Stone Richland, LLC





City of Richland
Development Services

505 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
☎ (509) 942-7764

Zoning Map/Text Amendment Application

Note: A Pre-Application meeting is advised prior to submittal of an application

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: North Stone Richland, LLC

Address: PO Box 516 Stayton, OR 97383

Phone: 503-769-3436

Email: Rossb@nspr.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company:

UBI#

Contact:

Address:

Phone:

Email:

DESCRIPTION OF WORK

See attached narrative

PROPERTY INFORMATION

Parcel #: 120083000009010, southerly portions thereof

Legal Description: A PORTION OF THE WEST-HALF OF SECTION 20 AND THE SW1/4 OF SECTION 19, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M., CITY OF RICHLAND, BENTON COUNTY, WASHINGTON - SW portion Horn Rapids AKA Crystal Springs

Current Zoning: R-1-10, R-2

Current Comp Plan: LDR

Requested Zoning: R-2S

Current Use: Low Density Residential

Proposed Use: MDR Small Lot

Area of Property: approx. 23ac +/-

APPLICATION MUST INCLUDE

1. Completed Application and Filing Fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

ANSWER QUESTIONS AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:

The adjacent 80+ acres of future development surrounding this area is zoned R-3, we are requesting a zone change to allow a consistency in setback widths across all lots.

Any hardship that may result in the event the rezone is not granted:

It will likely hinder future development and reduce the density of the area.

The manner in which the proposed rezone conforms to patterns in adjacent zones:

Adjacent zoning (land north of area) is zoned r3. A zone change to r-2s will allow the property to be designed and built more consistently.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:

Area will be built out in a manner that is very similar to the remainder of the Horn Rapids Master Planned Community.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:

Area will conform more uniformly with the previously developed area of Horn Rapids and will increase density of the community.

The benefits or detriments accruing to the city which would result from the granting or denial of this special permit:

Conformity in development, slightly increased density which will yield more lots/houses per acre thus an increase in City income.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:

These two areas are zoned differently from the surrounding areas within Horn Rapids Master Planned Community. A zone change brings uniformity to the developments but remains single family residential use.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:

Total area is encompassed in the request.

Identify impacts on the environment and public safety:

We are not aware of any.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Ross Buchister

Applicant Signature:  Date 2/27/2019

NORTH STONE RICHLAND, LLC

PO Box 516 - Stayton, OR 97383

Office: 503-769-3436 Fax: 503-769-7358

Crystal Springs Zone Change

2/26/2019

Narrative

For portions of Horn Rapids Master Planned Golf Community Property within the future Crystal Springs subdivision boundaries from R-1-10 to R-2S and the R-2 portion to R-2S. The balance of property within the future Crystal Springs defined area will remain as Zoned R-3.

Justification;

Reason for Zone change is to provide more flexibility for Residential Single-Family Detached House Plans to conform within City of Richland setback and lot coverage standards.

Horn Rapids is a unique development in Richland in the characteristic that much of the Golf Course is considered open space that would typically be incorporated into lots. In many developments where open space is non-existent, lots are created larger, allowing for larger homes. The requested Re-zone area southwest boundary runs along a bluff which is adjacent to the County boundary and vacated Irrigation Canal.

In the past developments we have designed the majority of the lots to be approx. 6,500-7,200 SF in size and the market conditions (buyers desires) dictate the preferred one-story homes of 2,000-2,400 SF and larger with 3 car garages of 500-700 SF and covered patios for outdoor enjoyment of 150-300 SF. Building "lot coverage sizes" of 3,000 SF to 3,500 SF equal approx. 45% to 55% of the lot size and would require us to enlarge the lots, which is contradictory to the intention of medium and high-density zoning. Making lots larger in other zoned areas such as R-1 & R-2 to accommodate the same size house plan that will fit on an R-2S zoned lot uses more land area for the same number of homes to be constructed. Horn Rapids Master Planned Community has been under a stable development plan for the past 15 years due to the product being constructed meeting the needs and demand of the market place. In addition, developing less lots on the same amount of land to absorb the same amount of street and utility improvement costs causes an increased price impact to construction costs on a per Lot basis and reduces the total number of dwelling units within the Master Plan Community. We believe it is in the best interest of the Horn Rapids Community to offer a variety of housing choices at competitive pricing and satisfy the market demands, and the R-2S Zoning provides that.

The R-2S zoning will allow the builders / home buyers to have a slightly higher "lot coverage percentage" from 40% to 50%, slightly more flexibility in Setbacks and slightly narrower Lot widths of 65-75 ft, as we

have seen in our other phases such as Horn Creek, Eaglewatch, Copperleaf phases 1,2 & 3 and Grayhawk Phases 1, 2 & 3, Wild Canyon 1 & 2 and approved future Quail Ridge Phases, without compromising values and utilizing the property for higher density as the Master Plan had intended. The majority of the property within this subdivision is already zoned R-3 and the R-3 Zone allows for the same setback standards for one-family detached homes as R-2S zoning (see table attached). The R-2S Zoning setbacks are 2 feet less to the front of garages, and 5 ft less in the rear yards when compared to R-2 Zone and 4 ft less for side yards than R-1 Zone.

The vacated Irrigation Canal is no longer controlled by or owned by the City of Richland and this approx 100 ft width of property provides an additional separation buffer from the properties to the southwest that lie within Benton County. In addition, the City has reserved a 20 ft strip adjacent to the vacated Irrigation Canal for the continuation of the Tapteal Trail.

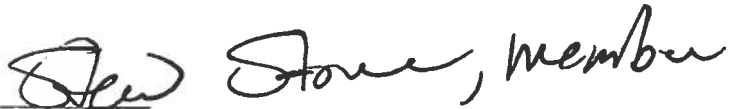
Applicant agrees to record a covenant on the plat that the future subdivision within this newly zoned area is limited to single family detached homes only, and no duplexes or apartments are allowed. This covenant has been added to previously approved subdivisions where zoning was modified to R-2S.

Sincerely,



Ron Bochsler

Manager of Santiam Development Company, LLC,
Manager of North Stone Richland, LLC



Standard	R-1-12	R-1-10	R-2	R-2S	R-3
Minimum Lot Area Requirement – One-Family Detached Dwelling	10,000 feet ¹	8,000 feet	6,000 feet	4,000 feet	4,000 feet
Minimum Lot Area Requirement – Two-Family Detached Dwelling	N/A	N/A	10,000 feet	7,000 feet	7,000 feet
Minimum Lot Area Requirement – One-Family Attached Dwellings	N/A	N/A	N/A	3,000 feet	3,000 feet
Maximum Density – Multifamily Dwellings (Units/Square Foot)	N/A	N/A	N/A	N/A	1:3,000
Minimum Lot Width – One-Family Detached Dwelling	90 feet	70 feet	50 feet	42 feet	42 feet
Minimum Lot Width – Two-Family Detached Dwelling	N/A	N/A	70 feet	64 feet	64 feet
Minimum Lot Width – One-Family Attached Dwellings	N/A	N/A	N/A	30 feet	30 feet
Average Lot Size Requirement ²	12,000	10,000	None	None	None
Minimum Front Yard Setback ³	20 feet	20 feet	20 feet	15 feet/18 feet ⁴	20 feet ^{6,10}
Minimum Side Yard Setback	10 feet	10 feet	6 feet	6 feet ⁵	6 ¹⁰
Minimum Alley/Private Access Easement Setback	6 feet	6 feet	6 feet	6 feet	6 feet
Minimum Rear Yard Setback	25 feet	25 feet	25 feet	20 feet/3 feet ⁷	25 feet ^{6,10}
Maximum Lot Coverage ⁸	40%	40%	40%	50%	33%/45% ^{9,10}
Maximum Building Height – Main Building	30 feet	30 feet	30 feet	30 feet	40 feet ¹⁰
Maximum Building Height – Detached Accessory Buildings ¹¹	16 feet	16 feet	16 feet	16 feet	16 feet

6. For multiple-family dwellings and other allowable uses other than one-family attached and one-family and two-family detached dwellings, front yards shall be 20 feet, side yards shall be equal to one foot of side yard for each three feet or portion thereof of building height, and rear yards shall be 25 feet, except as required by RMC (B) when multifamily development is located adjacent to a single-family residential zoning district or development.

9. Buildings in an R-3 district shall cover not more than 33 percent of the area of the lot except one-family attached dwellings, which may cover up to 45 percent of the area of the lot.

10. Setbacks, building heights, and lot coverage requirements for one-family attached, one-family detached and two-family detached dwellings in the R-3 zoning district shall be the same as those set forth for development in the R-2S zoning district.



SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2014

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND

1. Name of proposed project, if applicable: Crystal Springs
2. Name of applicant: North Stone Richland, LLC
3. Applicant contact information:
Address: PO Box 516
Stayton, OR 97383
Phone #: 503-769-3436
email address: Rossb@nspor.com Blulay@nspor.com
4. Date checklist prepared: 2/6/2019
5. Agency requesting checklist: City of Richland, WA
6. Proposed timing or schedule (including phasing, if applicable):
5 Construction Phases, Estimated start: 2020-2021, economy and market dependent
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
None
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. Horn Rapids Master Planning - 1993
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
No
10. List any government approvals or permits that will be needed for your proposal, if known.
None
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
54.39 Acres, residential single family subdivision planned.
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.
In the Horn Rapids Master Planned Community Development, Richland, WA

A PORTION OF THE WEST-HALF OF SECTION 20 AND THE SW1/4 OF SECTION 19, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M., CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

...location cont'd:

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other Sandy, mostly flat

b. What is the steepest slope on the site (approximate percent slope)? _____ %

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. Sand

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. No

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Residential subdivision, city ROW's and green space. Quantities of cut/fill unknown until Grading plan is complete

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Very limited if any due to rain runoff and wind.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? About 30-40 Percent

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Erosion will be controlled in conformance with an approved erosion and sediment control plan

2. Air and dust control plan..

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. There will be dust associated with the operation of construction equipment during construction. Local vehicle traffic after construction.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. No

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Dust Control during construction.

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. No
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. No
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. None
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. No
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. No
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. No

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. No
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. City Sewer

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Once the roads are completed the storm water runoff will be collected and discharged into drywells and infiltration basins.

- 2) Could waste materials enter ground or surface waters? If so, generally describe. No

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **No**

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: **Erosion control will conform to City specifications**

4. Plants

a. Check the types of vegetation found on the site:

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☒ shrubs
- ☒ grass
- ☐ pasture
- ☐ crop or grain
- ☐ Orchards, vineyards or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered? **Brush will be cleared**

c. List threatened and endangered species known to be on or near the site. **None**

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

e. List all noxious weeds and invasive species known to be on or near the site.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other: Burrowing owls

mammals: deer, bear, elk, beaver, other: Rabbits, mice

fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site. **None**

c. Is the site part of a migration route? If so, explain.

Yes, Richland is within the Pacific Flyway. Yes, the entire Columbia Basin is part of a migration route.

d. Proposed measures to preserve or enhance wildlife, if any:

e. List any invasive animal species known to be on or near the site.

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electricity and natural gas will provide energy for residential housing.

b. Would your project affect the potential use of solar energy by adjacent properties?

If so, generally describe.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Current energy codes for residential structures will be enforced

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?

If so, describe. None

1) Describe any known or possible contamination at the site from present or past uses. **None**

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. **None**

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. **None**

4) Describe special emergency services that might be required. **None**

5) Proposed measures to reduce or control environmental health hazards, if any: **None required**

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Residential traffic

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?
Indicate what hours noise would come from the site. During construction of infrastructure construction noise would occur between the hours of 7 a.m. – 5 p.m. There should be no permanent noise increase.

- 3) Proposed measures to reduce or control noise impacts, if any:

Construction limited to working hours

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The land is currently undeveloped, vacant land, surrounded by a golf course and residential housing.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? No

- i) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: No

- b. Describe any structures on the site.

No

- d. Will any structures be demolished? If so, what? No

- e. What is the current zoning classification of the site?

Mix of R-2 and R-3

- f. What is the current comprehensive plan designation of the site?

Medium Density Residential

- g. If applicable, what is the current shoreline master program designation of the site?

N/A

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No

- i. Approximately how many people would reside or work in the completed project?

180 homes x 3 = 540 people

- j. Approximately how many people would the completed project displace?

None

- k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Adhere to City's platting and development standards

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

Adhere to City's platting and development standards.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. The project involves developing 180 single-family residences. Typical construction will be representative of middle-high income housing.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None

c. Proposed measures to reduce or control housing impacts, if any:

The project will be developed in phases, as the residential housing market dictates.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? Normal residential housing. Some units may be 2-story structures due to the sloping topography.

b. What views in the immediate vicinity would be altered or obstructed?

None

c. Proposed measures to reduce or control aesthetic impacts, if any:

Normal Residential housing standards

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? None

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

c. What existing off-site sources of light or glare may affect your proposal?

None

d. Proposed measures to reduce or control light and glare impacts, if any:

None

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Horn Rapids Golf Course

b. Would the proposed project displace any existing recreational uses? If so, describe.

No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

None

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

None

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. If artifacts are discovered, work will be stopped and the appropriate agencies will be notified.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

State Route 240 will provide primary access to the proposed project

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

None, 4 miles to Steven's Center.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

None

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Construction of Public streets will be required and connection to Twin Bridge Rd.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

It is estimated that approximately 1,000+ trips would be generated by the project. Peak volumes are anticipated to occur during workday p.m. periods.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. **No**

h. Proposed measures to reduce or control transportation impacts, if any:

None

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. **The development will require expansion of the service area of existing public services. New homes in the development are anticipated to be occupied by existing homeowners relocating and new growth in Richland. The new growth is the component that will likely necessitate expanding public services.**
- b. Proposed measures to reduce or control direct impacts on public services, if any.

The new lots will increase the tax base and participate in normal funding for public services.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other **None currently**
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. **Electricity, Water, Sewer and Refuse service is by the City.
Phone – Frontier Communications,
Cable TV – Charter Communications
Gas – Cascade Natural Gas**

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee: Ross Bochsler

Position and Agency/Organization: Member, North Stone Richland, LLC

Date Submitted: 2/11/19

Community & Economic Development Department

This application was reviewed by the Planning Division of the Community & Economic Development Department. Any comments or changes made by the Department are entered in the body of the checklist and contain initials of the reviewer.

Reviewer Signature

Date

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

EXHIBIT A

LOW DENSITY RESIDENTIAL (LDR) ZONE LEGAL DESCRIPTION

A parcel of land in a portion of the Southeast quarter of Section 19 and a portion of the Southwest quarter of Section 20 lying in Township 10 North, Range 28 East, Willamette Meridian, City of Richland, Benton County, Washington, described as follows:

Beginning at a 5/8" Iron rebar marking the Northwest corner of the Southwest quarter of said Section 20, (from which a Stone marking the Southwest corner of said Section 20 bears South 00°58'015" West, 2641.74 feet);

Thence South 00°58'15" West along the West line of the Southwest quarter of said Section 20 for a distance of 1108.37 feet to the **TRUE POINT OF BEGINNING** of the parcel to be described;

Thence leaving the West line of the Southwest quarter of said Section 20, South 48°26'42" East, 323.52 feet;

Thence South 70°08'37" East, 956.94 feet;

Thence South 51°35'38" East, 570.15 feet;

Thence South 16°22'17" East, 448.51 feet to the Northerly Plat boundary of Grayhawk Phase 2, according to the Plat thereof, recorded in Volume 15 of Plats, page 563, Records of Benton County, Washington;

Thence South 72°11'49" West along the Northerly Plat boundary of said Grayhawk Phase 2 for a distance of 125.54 feet to the Northwest corner of Tract C, Grayhawk Phase 2;

Thence leaving the Northerly Plat boundary of said Grayhawk Phase 2 and continuing South 72°11'49" West, 0.66 feet to the Northerly boundary of the former Richland Irrigation District Canal as shown in Volume 1 of Surveys, page 5052, Records of said Benton County, Washington, said point being 50.00 feet Northerly of the centerline thereof, when measured radially;

Thence along the Northerly boundary of said former Richland Irrigation District Canal the following courses;

Thence Northwesterly, along the arc of a 1225.00-foot radius, non-tangent curve to the left (the radius of which bears South 70°19'34" West) through a central angle of 64°33'00" for an arc length of 1380.10 feet (the long chord of which bears North 51°56'56" West, 1308.26 feet);

Thence North 84°13'26" West, 238.59 feet;

Thence Northwesterly, along the arc of a 300.00-foot radius, tangent curve to the right (the radius of which bears North 05°46'34" East) through a central angle of 38°30'15" for an arc length of 201.61 feet (the long chord of which bears North 64°58'19" West, 197.83 feet);

Thence North 45°43'11" West, 104.50 feet;

Thence Northwesterly, along the arc of a 400.00-foot radius, tangent curve to the right (the radius of which bears North 44°16'49" East) through a central angle of 13°35'19" for an arc length of 94.87 feet (the long chord of which bears North 38°55'32" West, 94.64 feet);

Thence North 32°07'53" West, 56.38 feet;

Thence Northwesterly, along the arc of a 600.00-foot radius, tangent curve to the left (the radius of which bears South 57°52'07" West) through a central angle of 28°42'39" for an arc length of 300.66 feet (the long chord of which bears North 46°29'12" West, 297.52 feet);

Thence North 60°50'31" West, 351.50 feet to the Easterly right-of-way line of Twin Bridges Road, said point being 40.00 feet Easterly of the centerline thereof, when measured radially;

Thence leaving the Northerly boundary of said former Richland Irrigation District Canal along the Easterly right-of-way line of said Twin Bridges Road the following courses;

Thence Northeasterly, along the arc of a 760.00-foot radius, non-tangent curve to the right (the radius of which bears South 45°47'27" East) through a central angle of 04°12'32" for an arc length of 55.83 feet (the long chord of which bears North 46°18'49" East, 55.82 feet);

Thence North 48°35'05" East, 212.08 feet;

Thence leaving the Easterly right-of-way line of said Twin Bridges Road, South 48°27'09" East, 282.87 feet;

Thence South 48°26'42" East, 170.40 feet to the **TRUE POINT OF BEGINNING** and the end of this legal description.

Containing 12.55 acres, more or less.

TOGETHER WITH AND SUBJECT TO
easements, reservations, covenants and
restrictions apparent or of record.



POSITION OF IRON REBAR

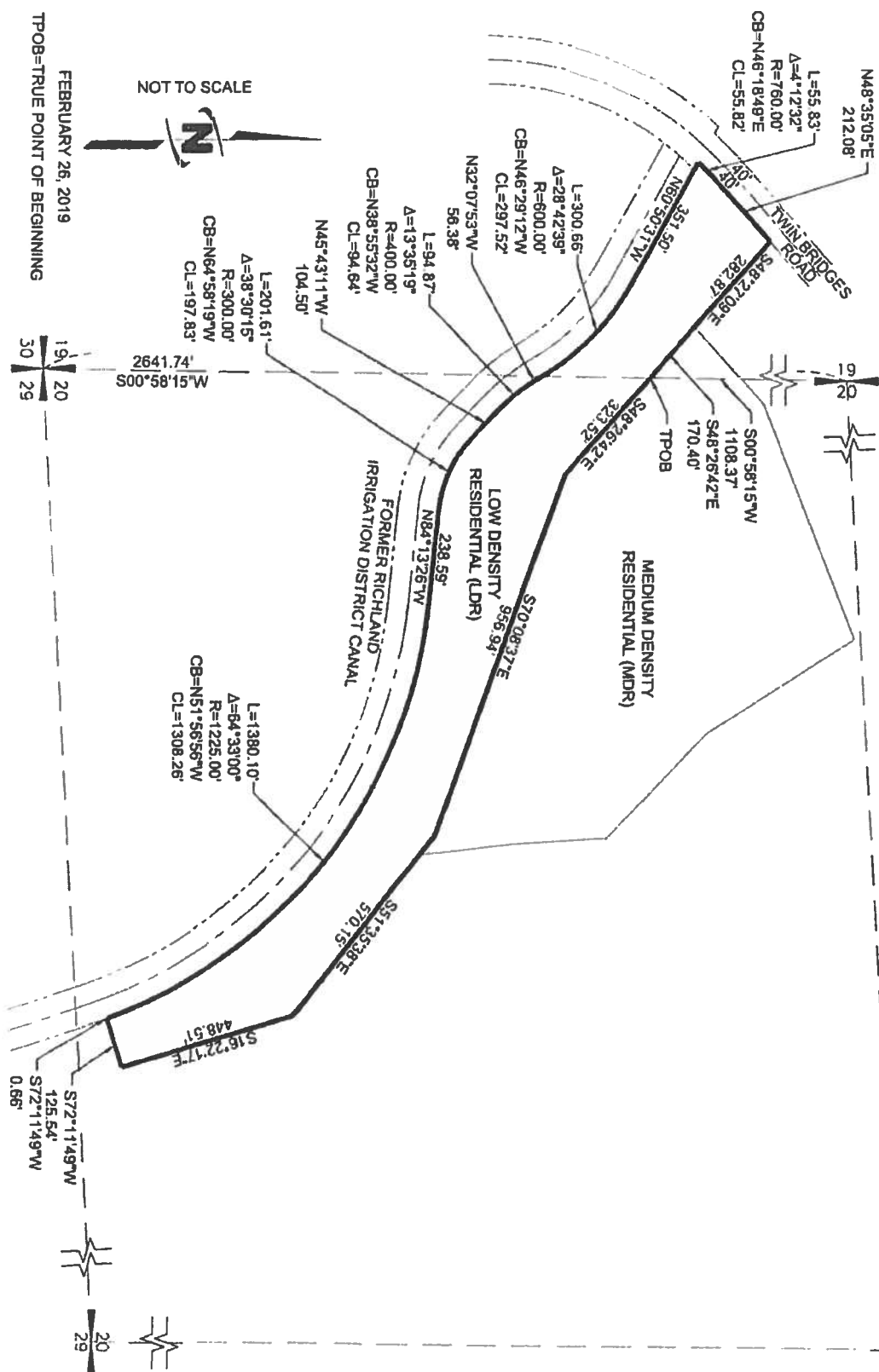


EXHIBIT A

MEDIUM DENSITY RESIDENTIAL (MDR) ZONE LEGAL DESCRIPTION

A parcel of land in a portion of the Southeast quarter of Section 19 and a portion of the Southwest quarter of Section 20 lying in Township 10 North, Range 28 East, Willamette Meridian, City of Richland, Benton County, Washington, described as follows:

Beginning at a 5/8" Iron rebar marking the Northwest corner of the Southwest quarter of said Section 20, (from which a Stone marking the Southwest corner of said Section 20 bears South 00°58'015" West, 2641.74 feet);

Thence South 00°58'15" West along the West line of the Southwest quarter of said Section 20 for a distance of 878.55 feet to the **TRUE POINT OF BEGINNING** of the parcel to be described;

Thence leaving the West line of the Southwest quarter of said Section 20, North 48°22'53" East, 85.41 feet;

Thence North 68°36'18" East, 625.58 feet;

Thence South 32°35'49" East, 436.21 feet;

Thence South 45°55'13" East, 366.33 feet;

Thence South 03°19'06" East, 223.02 feet;

Thence South 06°16'42" East, 247.48 feet;

Thence North 51°35'38" West, 58.96 feet;

Thence North 70°08'37" West, 956.94 feet;

Thence North 48°26'42" West, 493.92 feet;

Thence North 48°22'53" East, 175.78 feet to the **TRUE POINT OF BEGINNING** and the end of this legal description.

Containing 16.63 acres, more or less.

TOGETHER WITH AND SUBJECT TO
easements, reservations, covenants and
restrictions apparent or of record.



POSITION OF IRON REBAR



EXHIBIT A

LOW DENSITY RESIDENTIAL ZONE (LDR) & MEDIUM DENSITY RESIDENTIAL ZONE (MDR) COMBINATION LEGAL DESCRIPTION

A parcel of land in a portion of the Southeast quarter of Section 19 and a portion of the Southwest quarter of Section 20 lying in Township 10 North, Range 28 East, Willamette Meridian, City of Richland, Benton County, Washington, described as follows:

Beginning at a 5/8" Iron rebar marking the Northwest corner of the Southwest quarter of said Section 20, (from which a Stone marking the Southwest corner of said Section 20 bears South 00°58'015" West, 2641.74 feet);

Thence South 00°58'15" West along the West line of the Southwest quarter of said Section 20 for a distance of 878.55 feet to the **TRUE POINT OF BEGINNING** of the parcel to be described;

Thence leaving the West line of the Southwest quarter of said Section 20, North 48°22'53" East, 85.41 feet;

Thence North 68°36'18" East, 625.58 feet;

Thence South 32°35'49" East, 436.21 feet;

Thence South 45°55'13" East, 366.33 feet;

Thence South 03°19'06" East, 223.02 feet;

Thence South 06°16'42" East, 247.48 feet;

Thence South 51°35'38" East, 511.19 feet;

Thence South 16°22'17" East, 448.51 feet to the Northerly Plat boundary of Grayhawk Phase 2, according to the Plat thereof, recorded in Volume 15 of Plats, page 563, Records of Benton County, Washington;

Thence South 72°11'49" West along the Northerly Plat boundary of said Grayhawk Phase 2 for a distance of 125.54 feet to the Northwest corner of Tract C, Grayhawk Phase 2;

Thence leaving the Northerly Plat boundary of said Grayhawk Phase 2 and continuing South 72°11'49" West, 0.66 feet to the Northerly boundary of the former Richland Irrigation District Canal as shown in Volume 1 of Surveys, page 5052, Records of said Benton County, Washington, said point being 50.00 feet Northerly of the centerline thereof, when measured radially;

Thence along the Northerly boundary of said former Richland Irrigation District Canal the following courses;

Thence Northwesterly, along the arc of a 1225.00-foot radius, non-tangent curve to the left (the radius of which bears South 70°19'34" West) through a central angle of 64°33'00" for an arc length of 1380.10 feet (the long chord of which bears North 51°56'56" West, 1308.26 feet);

Thence North 84°13'26" West, 238.59 feet;

Thence Northwesterly, along the arc of a 300.00-foot radius, tangent curve to the right (the radius of which bears North 05°46'34" East) through a central angle of 38°30'15" for an arc length of 201.61 feet (the long chord of which bears North 64°58'19" West, 197.83 feet);

Thence North 45°43'11" West, 104.50 feet;

Thence Northwesterly, along the arc of a 400.00-foot radius, tangent curve to the right (the radius of which bears North 44°16'49" East) through a central angle of 13°35'19" for an arc length of 94.87 feet (the long chord of which bears North 38°55'32" West, 94.64 feet);

Thence North 32°07'53" West, 56.38 feet;

Thence Northwesterly, along the arc of a 600.00-foot radius, tangent curve to the left (the radius of which bears South 57°52'07" West) through a central angle of 28°42'39" for an arc length of 300.66 feet (the long chord of which bears North 46°29'12" West, 297.52 feet);

Thence North 60°50'31" West, 351.50 feet to the Easterly right-of-way line of Twin Bridges Road, said point being 40.00 feet Easterly of the centerline thereof, when measured radially;

Thence leaving the Northerly boundary of said former Richland Irrigation District Canal along the Easterly right-of-way line of said Twin Bridges Road the following courses;

Thence Northeasterly, along the arc of a 760.00-foot radius, non-tangent curve to the right (the radius of which bears South 45°47'27" East) through a central angle of 04°12'32" for an arc length of 55.83 feet (the long chord of which bears North 46°18'49" East, 55.82 feet);

Thence North 48°35'05" East, 212.08 feet;

Thence leaving the Easterly right-of-way line of said Twin Bridges Road, South 48°27'09" East, 282.87 feet;

Thence North 48°22'53" East, 175.78 feet to the **TRUE POINT OF BEGINNING**
and the end of this legal description.

Containing 29.18 acres, more or less.

TOGETHER WITH AND SUBJECT TO easements, reservations, covenants and
restrictions apparent or of record.



SKETCH TO ACCOMPANY COMBINATION LEGAL DESCRIPTION LOW DENSITY RESIDENTIAL (LDR) ZONE & MEDIUM DENSITY RESIDENTIAL (MDR) ZONE

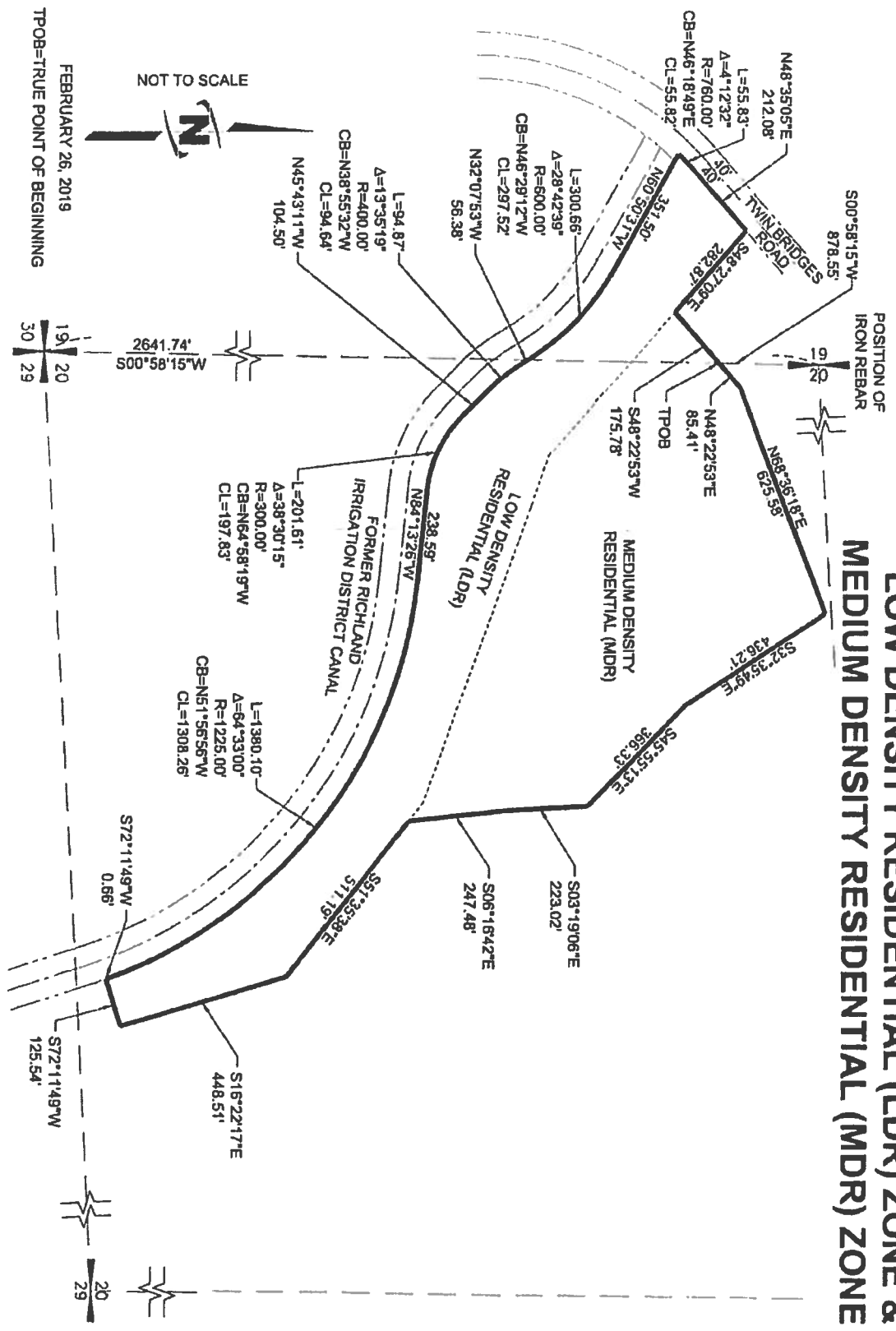


EXHIBIT A

CRYSTAL SPRINGS PERIMETER LEGAL DESCRIPTION

A parcel of land in a portion of the Southeast quarter of Section 19, a portion of the Southwest quarter and the Southwest quarter of the Northwest quarter of Section 20 all lying in Township 10 North, Range 28 East, Willamette Meridian, City of Richland, Benton County, Washington, described as follows:

Beginning at a 5/8" Iron rebar in a monument box marking the Northwest corner of the Southwest quarter of said Section 20, (from which a Stone monument marking the Northwest corner of said Section 20 bears North 00°57'10" East, 2640.17 feet);

Thence North 00°57'10" East along the West line of the Northwest quarter of said Section 20 for a distance of 375.57 feet;

Thence leaving the West line of the Northwest quarter of said Section 20, South 89°26'19" East, 40.00 feet to the Easterly right-of-way line of Twin Bridges Road and the **TRUE POINT OF BEGINNING** of the parcel to be described, said point being 40.00 feet Easterly of the centerline thereof, when measured at right angles;

Thence leaving the Easterly right-of-way line of said Twin Bridges Road and continuing South 89°26'19" East, 34.79 feet;

Thence Southeasterly, along the arc of a 180.00-foot radius, tangent curve to the right (the radius of which bears South 00°33'41" West) through a central angle of 27°06'10" for an arc length of 85.15 feet (the long chord of which bears South 75°53'14" East, 84.35 feet);

Thence South 62°20'09" East, 1240.74 feet;

Thence Southeasterly, along the arc of a 155.00-foot radius, tangent curve to the right (the radius of which bears South 27°39'51" West) through a central angle of 27°30'32" for an arc length of 74.42 feet (the long chord of which bears South 48°34'53" East, 73.71 feet);

Thence Southeasterly, along the arc of a 85.00-foot radius, compound curve to the right (the radius of which bears South 55°10'23" West) through a central angle of 08°45'21" for an arc length of 12.99 feet (the long chord of which bears South 30°26'57" East, 12.98 feet);

Thence South 26°04'16" East, 16.69 feet;

Thence Southwesterly, along the arc of a 292.00-foot radius, non-tangent curve to the left (the radius of which bears South 23°44'38" East) through a central angle of 26°16'04" for an arc length of 133.87 feet (the long chord of which bears South 53°07'20" West, 132.70 feet);

Thence South 39°59'18" West, 64.19 feet;

Thence South 46°50'51" East, 84.13 feet;

Thence South 39°59'18" West, 167.88 feet;

Thence Southeasterly, along the arc of a 705.68-foot radius, tangent curve to the left (the radius of which bears South 50°00'42" East) through a central angle of 70°41'18" for an arc length of 870.63 feet (the long chord of which bears South 04°38'39" West, 816.45 feet);

Thence South 28°27'34" East, 281.37 feet;

Thence South 30°42'00" East, 99.80 feet;

Thence Southeasterly, along the arc of a 219.00-foot radius, tangent curve to the left (the radius of which bears North 59°18'00" East) through a central angle of 22°45'21" for an arc length of 86.98 feet (the long chord of which bears South 42°04'41" East, 86.41 feet);

Thence South 53°27'22" East, 213.41 feet;

Thence Southeasterly, along the arc of a 287.00-foot radius, tangent curve to the right (the radius of which bears South 36°32'38" West) through a central angle of 35°39'54" for an arc length of 178.65 feet (the long chord of which bears South 35°37'24" East, 175.78 feet);

Thence South 17°47'27" East, 356.62 feet to the Northerly Plat boundary of Grayhawk Phase 2, according to the Plat thereof, recorded in Volume 15 of Plats, page 563, Records of Benton County, Washington, said point bears South 72°11'49" West, 10.96 feet from the Northwest corner of Tact B;

Thence South 72°11'49" West along the Northerly Plat boundary of said Grayhawk Phase 2 for a distance of 125.54 feet to the Northwest corner of Tract C, Grayhawk Phase 2;

Thence leaving the Northerly Plat boundary of said Grayhawk Phase 2 and continuing South 72°11'49" West, 0.66 feet to the Northerly boundary of the former Richland Irrigation District Canal as shown in Volume 1 of Surveys, page 5052, Records of said Benton County, Washington, said point being 50.00 feet Northerly of the centerline thereof, when measured radially

Thence along the Northerly boundary of said former Richland Irrigation District Canal the following courses;

Thence Northwesterly, along the arc of a 1225.00-foot radius, non-tangent curve to the left (the radius of which bears South 70°19'34" West) through a central angle of 64°33'00" for an arc length of 1380.10 feet (the long chord of which bears North 51°56'56" West, 1308.26 feet);

Thence North 84°13'26" West, 238.59 feet;

Thence Northwesterly, along the arc of a 300.00-foot radius, tangent curve to the right (the radius of which bears North 05°46'34" East) through a central angle of 38°30'15" for an arc length of 201.61 feet (the long chord of which bears North 64°58'19" West, 197.83 feet);

Thence North 45°43'11" West, 104.50 feet;

Thence Northwesterly, along the arc of a 400.00-foot radius, tangent curve to the right (the radius of which bears North 44°16'49" East) through a central angle of 13°35'19" for an arc length of 94.87 feet (the long chord of which bears North 38°55'32" West, 94.64 feet);

Thence North 32°07'53" West, 56.38 feet;

Thence Northwesterly, along the arc of a 600.00-foot radius, tangent curve to the left (the radius of which bears South 57°52'07" West) through a central angle of 28°42'39" for an arc length of 300.66 feet (the long chord of which bears North 46°29'12" West, 297.52 feet);

Thence North 60°50'31" West, 351.50 feet to the Easterly right-of-way line of Twin Bridges Road, said point being 40.00 feet Easterly of the centerline thereof, when measured radially;

Thence leaving the Northerly boundary of said former Richland Irrigation District Canal along the Easterly right-of-way line of said Twin Bridges Road the following courses;

Thence Northeasterly, along the arc of a 760.00-foot radius, non-tangent curve to the right (the radius of which bears South 45°47'25" East) through a central angle of 04°12'32" for an arc length of 55.83 feet (the long chord of which bears North 46°18'49" East, 55.82 feet);

Thence North 48°35'05" East, 361.73 feet;

Thence Northeasterly, along the arc of a 840.00-foot radius, tangent curve to the left (the radius of which bears North 41°24'55" West) through a central angle of 47°37'00" for an arc length of 698.10 feet (the long chord of which bears North 24°46'35" East, 678.18 feet);

Thence North 00°58'02" East, 92.18 feet;

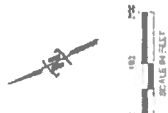
Thence North 00°57'10" East, 375.82 feet to the **TRUE POINT OF BEGINNING**
and the end of this legal description.

Containing 54.40 acres, more or less.

TOGETHER WITH AND SUBJECT TO easements, reservations, covenants and
restrictions apparent or of record.



PRELIMINARY PLAT
CRYSTAL SPRINGS AT HORN RAPIDS
A PORTION OF THE WEST HALF OF SECTION 36 AND THE SOUTHWEST CORNER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 14 WEST,
COUNTY OF HAMILTON, ILLINOIS



LAND INTERESTED
GRAND PLAT AREA
TRACTS A THRU E
PLATTED WITHIN
2,362.116 SQ. FT. = .04 ACRES
43,344.31 = 1.0 ACRES
PLATTED WITHIN
3,111.178 SQ. ACRES
1,377.320 AC. = 1.00 ACRES
SMALLEST LOT SIZE
LARGEST LOT SIZE
11,000 SQ. FT.
11,000 SQ. FT.



Draft Only For Zone Change Applications

Order No.
BF8147

Ref No.

Guarantee No.
SGW 08002997

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND THE CONDITIONS AND STIPULATIONS OF THIS GUARANTEE,



OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

herein called the Company

GUARANTEES

the Assured named in Schedule A against actual monetary loss or damage not exceeding the liability stated in Schedule A, which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Corporation
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

Countersigned:

By

Validating Officer

By

President

Attest

Secretary

BENTON-FRANKLIN

TITLE COMPANY

510 N. COLORADO ST., STE B
KENNEWICK, WA 99336 Phone: 509-783-0661 Fax: 509-783-2256

SUBDIVISION GUARANTEE

SCHEDULE A

Office File Number BF8147	Policy Number SGW-08002997	Date of Policy February 25, 2019 at 8:00 AM	Amount of Insurance \$300.00	Premium \$300.00
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NAME OF ASSURED:

Stew Stone

THE ASSURANCES REFERRED TO ON THE FACE PAGE ARE:

THAT, ACCORDING TO THOSE PUBLIC RECORDS WHICH, CONSTRUCTIVE NOTICE OF MATTERS RELATIVE TO THE DESCRIPTION OF WHICH IS FULLY SET FORTH IN UNDER THE RECORDING LAWS, IMPART FOLLOWING DESCRIBED REAL PROPERTY:

SEE ATTACHED EXHIBIT "A"

TITLE TO SAID REAL PROPERTY IS VESTED IN:

North Stone Richland LLC, a Washington Limited Liability Company, as to a portion and City of Richland, a Washington Municipal Corporation, as to the remainder

SUBJECT TO THE MATTERS SHOWN BELOW UNDER EXCEPTIONS, WHICH EXCEPTIONS ARE NOT NECESSARILY SHOWN IN THE ORDER OF THEIR PRIORITY.

EXCEPTIONS:

1. GENERAL TAXES AND ASSESSMENTS, IF ANY, NO SEARCH HAVING BEEN MADE THEREOF; ALSO, TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS.
2. UNPATENTED MINING CLAIMS, RESERVATIONS OR EXCEPTIONS IN THE UNITED STATES PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; WATER RIGHTS, CLAIMS OR TITLE TO WATER.
3. TITLE TO ANY PROPERTY BEYOND THE LINES OF THE REAL PROPERTY EXPRESSLY DESCRIBED HEREIN, OR TITLE TO STREETS, ROADS, AVENUES, LANES, WAYS OR WATERWAYS ON WHICH SUCH REAL PROPERTY ABUTS, OR THE RIGHT TO MAINTAIN THEREIN VAULTS, TUNNELS, RAMPS, OR ANY OTHER STRUCTURE OR IMPROVEMENT; OR ANY RIGHTS OR EASEMENTS THEREIN UNLESS SUCH PROPERTY, RIGHTS OR EASEMENTS ARE EXPRESSLY AND SPECIFICALLY SET FORTH IN SAID DESCRIPTION.

Policy Number: **SGW-08002997**

ADDITIONAL EXCEPTIONS:

1. **GENERAL TAXES FOR 2019 IN THE ORIGINAL AMOUNT OF \$25,104.53. TAX ACCOUNT NO. 1-2008-300-0009-010 (IOP). (FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.)**

THIS AMOUNT DOES NOT REFLECT A GOVERNMENTAL PROPERTY TAX EXEMPTION THAT HAS EXISTED IN PRIOR YEARS.

2. **GENERAL TAXES FOR 2019 IN THE ORIGINAL AMOUNT OF \$10.71. TAX ACCOUNT NO. 1-2008-300-0009-006 (IOP). (FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.)**
3. **GENERAL TAXES FOR 2019 IN THE ORIGINAL AMOUNT OF \$20.40. TAX ACCOUNT NO. 1-1908-100-0001-004 (IOP). (FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.)**
4. **GENERAL TAXES FOR 2019 IN THE ORIGINAL AMOUNT OF \$2,846.22. TAX ACCOUNT NO. 1-2008-300-0009-008 (IOP). (FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.)**
5. **GENERAL TAXES FOR 2019 IN THE ORIGINAL AMOUNT OF \$4,805.59. TAX ACCOUNT NO. 1-2008-300-0009-009 (IOP). (FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.)**
6. **LIABILITY FOR GENERAL PROPERTY TAXES FOR THE PURCHASER'S PRORATED PORTION OF THE YEAR 2019, DUE TO THE TRANSFER OF EXEMPT PROPERTY TO PRIVATE OWNERSHIP.**
7. **RELINQUISHMENT OF ALL EXISTING, FUTURE OR POTENTIAL EASEMENTS FOR ACCESS, LIGHT, VIEW AND AIR, AND ALL RIGHTS OF INGRESS, EGRESS AND REGRESS TO, FROM AND BETWEEN SAID PREMISES AND THE HIGHWAY OR HIGHWAYS TO BE CONSTRUCTED ON LANDS CONVEYED BY DEED;**
RECORDED: MARCH 2, 1967
RECORDING NO.: 573713
TO: THE STATE OF WASHINGTON
FOR: ALL RIGHTS OF INGRESS AND EGRESS
AFFECTS: PORTION OF SAID PREMISES
8. **COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN INSTRUMENT;**
RECORDING NO.: 87-4170; CORRECTED UNDER 2016-017764
9. **EASEMENT AGREEMENTS, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;**
RECORDED: JULY 25, 2002
RECORDING NO.: 2002-028629, 2002-028630, 2002-028631, 2002-028632, 2002-028633, 2002-028634, 2002-028635, 2002-028636 (AMENDED UNDER 2017-002344), 2002-028637, 2002-028638 (AMENDED UNDER 2017-002345), 2002-028639, 2002-028640 AND 2002-028641
BETWEEN: CITY OF RICHLAND; ET AL.
FOR: SEE INSTRUMENT

Policy Number: SGW-08002997

10. RIGHTS OF WAY FOR PIPELINES, DITCHES, CANALS, FLUMES, IF ANY CROSS SAID PREMISES, TOGETHER WITH THE RIGHT TO ENTER THEREON FOR THE PURPOSE OF REPAIR AND MAINTENANCE THEREOF.
11. TERMS, EFFECTS AND CONDITIONS OF ORDINANCE NO. 71-15 RECORDED UNDER AUDITOR'S FILE NO. 2016-000862.
12. TERMS, EFFECTS AND CONDITIONS OF ORDINANCE NO. 18-10 RECORDED UNDER AUDITOR'S FILE NO. 2010-020839.
13. UNRECORDED LEASEHOLDS, IF ANY; RIGHTS OF VENDORS AND HOLDERS OF A SECURITY INTEREST ON PERSONAL PROPERTY INSTALLED UPON THE LAND; AND RIGHTS OF TENANTS TO REMOVE TRADE FIXTURES AT THE EXPIRATION OF THE TERM.
14. UNPAID CHARGES AND ASSESSMENTS, IF ANY, LEVIED BY HORN RAPIDS HOMEOWNERS ASSOCIATION.
15. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN INSTRUMENT;
AUDITOR'S FILE NO.: 94-18376

SAID COVENANTS, CONDITIONS AND RESTRICTIONS HAVE BEEN MODIFIED BY INSTRUMENT:
AUDITOR'S FILE NO.: 2001-021610, 2003-061197, 2005-026398, 2005-030827, 2007-022828, 2015-030743, 2016-006215, 2016-006290 AND 2018-002298
16. TERMS, EFFECTS AND CONDITIONS OF MEMORANDUM OF OPTION RECORDED UNDER AUDITOR'S FILE NO. 2007-009584.
17. TERMS, EFFECTS AND CONDITIONS OF ORDINANCE TO ESTABLISH EASEMENT RECORDED UNDER AUDITOR'S FILE NO. 2009-019021
18. MATTERS SHOWN ON RECORD SURVEY NO. 4139.
19. RELINQUISHMENT OF ACCESS RIGHTS AND THE TERMS AND CONDITIONS THEREOF:
TO: STATE OF WASHINGTON
RECORDED: April 03, 2018
AUDITOR'S FILE NO.: 2018-009302
20. RELINQUISHMENT OF ACCESS RIGHTS AND THE TERMS AND CONDITIONS THEREOF:
TO: STATE OF WASHINGTON
RECORDED: April 03, 2018
AUDITOR'S FILE NO.: 2018-009303
21. TERMS, EFFECTS AND CONDITIONS OF ORDINANCE NO. 18-18 RECORDED UNDER AUDITOR'S FILE NO. 2018-016037.

NOTE: INSTRUMENT CORRECTS AUDITOR'S FILE NO. 2018-010457.

END OF SCHEDULE A EXCEPTIONS.

BENTON FRANKLIN TITLE COMPANY

Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **BENTON FRANKLIN TITLE COMPANY**

We may collect nonpublic personal information about you from the following sources:

Information we receive from you such as on applications or other forms.

Information about your transactions we secure from our files, or from [our affiliates or] others.

Information we receive from a consumer reporting agency.

Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates as permitted by law.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

ORT 287-C 5/07/01

EXHIBIT "A"

A parcel of land in a portion of the Southeast quarter of Section 19, a portion of the Southwest quarter and the Southwest quarter of the Northwest quarter of Section 20 all lying in Township 10 North, Range 28 East, Willamette Meridian, City of Richland, Benton County, Washington, described as follows:

Beginning at a 5/8" Iron rebar in a monument box marking the Northwest corner of the Southwest quarter of said Section 20, (from which a Stone monument marking the Northwest corner of said Section 20 bears North 00°57'10" East, 2640.17 feet);

Thence North 00°57'10" East along the West line of the Northwest quarter of said Section 20 for a distance of 375.57 feet;

Thence leaving the West line of the Northwest quarter of said Section 20, South 89°26'19" East, 40.00 feet to the Easterly right-of-way line of Twin Bridges Road and the **TRUE POINT OF BEGINNING** of the parcel to be described, said point being 40.00 feet Easterly of the centerline thereof, when measured at right angles;

Thence leaving the Easterly right-of-way line of said Twin Bridges Road and continuing South 89°26'19" East, 34.70 feet;

Thence Southeasterly, along the arc of a 180.00-foot radius, tangent curve to the right (the radius of which bears South 00°33'41" West) through a central angle of 27°06'10" for an arc length of 85.15 feet (the long chord of which bears South 75°53'14" East, 84.35 feet);

Thence South 62°20'09" East, 1240.74 feet;

Thence Southeasterly, along the arc of a 155.00-foot radius, tangent curve to the right (the radius of which bears South 27°39'51" West) through a central angle of 27°30'32" for an arc length of 74.42 feet (the long chord of which bears South 48°34'53" East, 73.71 feet);

Thence Southeasterly, along the arc of a 85.00-foot radius, compound curve to the right (the radius of which bears South 55°10'23" West) through a central angle of 08°45'21" for an arc length of 12.99 feet (the long chord of which bears South 30°26'57" East, 12.98 feet);

Thence South 26°04'16" East, 16.69 feet;

Thence Southwesterly, along the arc of a 292.00-foot radius, non-tangent curve to the left (the radius of which bears South 23°44'38" East) through a central angle of 26°16'04" for an arc length of 133.87 feet (the long chord of which bears South 53°07'20" West, 132.70 feet);

Thence South 39°59'18" West, 64.19 feet;

Thence South 46°50'51" East, 84.13 feet;

Thence South 39°59'18" West, 167.88 feet;

Thence Southeasterly, along the arc of a 705.68-foot radius, tangent curve to the left (the radius of which bears South 50°00'42" East) through a central angle of 70°41'18" for an arc length of 870.63 feet (the long chord of which bears South 04°38'39" West, 816.45 feet);

Thence South 28°27'34" East, 281.37 feet;

Thence South 30°42'00" East, 99.80 feet;

Thence Southeasterly, along the arc of a 219.00-foot radius, tangent curve to the left (the radius of which bears North 59°18'00" East) through a central angle of 22°45'21" for an arc length of 86.98 feet (the long chord of which bears South 42°04'41" East, 86.41 feet);

Thence South 53°27'22" East, 213.41 feet;

Thence Southeasterly, along the arc of a 287.00-foot radius, tangent curve to the right (the radius of which bears South 36°32'38" West) through a central angle of 35°39'54" for an arc length of 178.65 feet (the long chord of which bears South 35°37'24" East, 175.78 feet);

Thence South 17°47'27" East, 356.62 feet to the Northerly Plat boundary of Grayhawk Phase 2, according to the Plat thereof, recorded in Volume 15 of Plats, page 563, Records of Benton County, Washington, said point bears South 72°11'49" West, 10.96 feet from the Northwest corner of Tract B;

Thence South 72°11'49" West along the Northerly Plat boundary of said Grayhawk Phase 2 for a distance of 125.54 feet to the Northwest corner of Tract C, Grayhawk Phase 2;

Thence leaving the Northerly Plat boundary of said Grayhawk Phase 2 and continuing South 72°11'49" West, 0.66 feet to the Northerly boundary of the former Richland Irrigation District Canal as shown in Volume 1 of Surveys, page 5052, Records of said Benton County, Washington, said point being 50.00 feet Northerly of the centerline thereof, when measured radially

Thence along the Northerly boundary of said former Richland Irrigation District Canal the following courses;

Thence Northwesterly, along the arc of a 1225.00-foot radius, non-tangent curve to the left (the radius of which bears South 70°19'34" West) through a central angle of 64°33'00" for an arc length of 1380.10 feet (the long chord of which bears North 51°56'56" West, 1308.26 feet);

Thence North 84°13'26" West, 238.59 feet;

Thence Northwesterly, along the arc of a 300.00-foot radius, tangent curve to the right (the radius of which bears North 05°46'34" East) through a central angle of 38°30'15" for an arc length of 201.61 feet (the long chord of which bears North 64°58'19" West, 197.83 feet);

Thence North 45°43'11" West, 104.50 feet;

Thence Northwesterly, along the arc of a 400.00-foot radius, tangent curve to the right (the radius of which bears North 44°16'49" East) through a central angle of 13°35'19" for an arc length of 94.87 feet (the long chord of which bears North 38°55'32" West, 94.64 feet);

Thence North 32°07'53" West, 56.38 feet;

Thence Northwesterly, along the arc of a 600.00-foot radius, tangent curve to the left (the radius of which bears South 57°52'07" West) through a central angle of 28°42'39" for an arc length of 300.66 feet (the long chord of which bears North 46°29'12" West, 297.52 feet);

Thence North $60^{\circ}50'31''$ West, 351.50 feet to the Easterly right-of-way line of Twin Bridges Road, said point being 40.00 feet Easterly of the centerline thereof, when measured radially;

Thence leaving the Northerly boundary of said former Richland Irrigation District Canal along the Easterly right-of-way line of said Twin Bridges Road the following courses;

Thence Northeasterly, along the arc of a 760.00-foot radius, non-tangent curve to the right (the radius of which bears South $45^{\circ}47'25''$ East) through a central angle of $04^{\circ}12'32''$ for an arc length of 55.83 feet (the long chord of which bears North $46^{\circ}18'49''$ East, 55.82 feet);

Thence North $48^{\circ}35'05''$ East, 361.73 feet;

Thence Northeasterly, along the arc of a 840.00-foot radius, tangent curve to the left (the radius of which bears North $41^{\circ}24'55''$ West) through a central angle of $47^{\circ}37'00''$ for an arc length of 698.10 feet (the long chord of which bears North $24^{\circ}46'35''$ East, 678.18 feet);

Thence North $00^{\circ}58'02''$ East, 92.18 feet;

Thence North $00^{\circ}57'10''$ East, 375.82 feet to the **TRUE POINT OF BEGINNING** and the end of this legal description.

**HORN RAPIDS
MASTER PLANNED COMMUNITY**

RICHLAND CITY COUNCIL

**Columbia Triangle Venture
April 1993**

Stew's copy

RESOLUTION NO. 38-93

A RESOLUTION of the City of Richland approving the Master Plan for development of the Horn Rapids Master Planned Community.

WHEREAS, in December 1992, the City of Richland entered into an agreement with Columbia Triangle Venture, L. P., (CTV) called the Horn Rapids Development and Option Agreement (Agreement); and

WHEREAS, the Agreement specifies the delivery of a Master Plan for the City's approval within six months of the date of execution of the Agreement; and

WHEREAS, the Master Plan was submitted by CTV and has undergone review by staff, the Ecology Commission, the Parks and Recreation Commission, the Physical Planning Commission and the City Council; and

WHEREAS, approval of the Master Plan, subject to the conditions set forth in Attachment I would:

1. Provide a sound basis for the development of a high quality, well designed community that will be both functional and aesthetically pleasing;
2. Be in conformance with and provide for the implementation of the applicable goals and policies set forth in the Richland Comprehensive Plan;
3. Provide for a wide variety of housing choices, recreational opportunities and necessary neighborhood services and public facilities;
4. Provide for implementation of many of the concepts and goals set forth in the Horn Rapids Community Plan;
5. Be in conformance with the terms and conditions set forth in the Horn Rapids Development and Option Agreement;
6. Have no significant adverse environmental impacts beyond those specified in the Horn Rapids Triangle Development Program Final Environmental Impact Statement and the Addendum thereto for the Horn Rapids Master Planned Community dated April 28, 1993;
7. Be in the best interest of the community of Richland; and

WHEREAS, it is mutually understood that the City of Richland approval of the Master Plan is intended to provide general acceptance of the community design concepts including land use, residential densities and public facilities and infrastructure plans and that ongoing refinement and implementation of the Master Plan will occur as various phases and development parcels are reviewed for subdivision or other specific design approval.

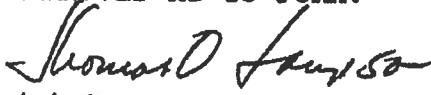
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland, Washington that the Horn Rapids Master Planned Community Master Plan is hereby conceptually approved subject to the conditions set forth in Attachment I.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

PASSED by the City Council of the City of Richland on this 17th day of May, 1993.


/s/ Craig Buchanan
CRAIG BUCHANAN
Mayor

APPROVED AS TO FORM:


/s/ Thomas O. Lampson
THOMAS O. LAMPSON
City Attorney



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

RECEIVED AUG 07 2008

August 6, 2008

Ms. Nancy Aldrich
c/o City of Richland
PO Box 190 MS26
Richland, WA 99352

Dear Ms. Aldrich:

RE: Site Hazard Assessment- Horn Rapids Triangle Development,
Facility/Site ID # 63597765

The Washington State Department of Ecology (Ecology) has completed the site hazard assessment (SHA) for the Horn Rapids Triangle Development, located in the Wiedle neighborhood of Richland, as required by the Model Toxics Control Act (MTCA). A determination of No Further Action (NFA) has been made under WAC 173-340-310(5)(d)(ii).

For your information, Ecology will be publishing the results of this and other recently completed SHAs in the August 20, 2008 Special Issue of the Site Register.

Ecology reserves the right to initiate further investigation at this site where new information is received indicating a potential/actual threat to human health and/or the environment through the release of a hazardous substance.

Please contact James Coleman, with the Benton Franklin Health District at (509) 460-4319 if you have any questions relating to the SHA determination of your site.

Sincerely,

A handwritten signature in dark ink, appearing to read "Donald W. Abbott".

Donald W. Abbott
Section Manager
Toxics Cleanup Program
Central Regional Office

cc: James Coleman, Benton Franklin Health District
Michael Spencer, TCP-HQ





SEATTLE
RICHLAND
FAIRBANKS
ANCHORAGE
SAINT LOUIS
DENVER
PORTLAND

October 10, 2008

North Stone Richland, LLC
P.O. Box 516
Stayton, Oregon 97383

Attn: Mr. Stew Stone

**RE: ADDENDUM NO. 1 TO PHASE 1 ENVIRONMENTAL SITE ASSESSMENT,
HORN RAPIDS FUTURE DEVELOPMENT PROPERTIES, RICHLAND,
WASHINGTON**

This addendum was prepared to incorporate additional information that was obtained after the publication of our Phase 1 Environmental Site Assessment (ESA) report for the above referenced project (August 27, 2008). The addendum includes revisions to our findings, conclusions, and recommendations based on our evaluation of the new information.

BACKGROUND INFORMATION

The primary issue has to do with groundwater quality at the site and previous environmental monitoring. Our report included verbal information obtained from Mr. Jim Coleman of the Benton-Franklin Health District (BFHD) who indicated that he conducted groundwater sampling from multiple wells in the Weidle neighborhood in the summer of 2008. The Weidle neighborhood wells are located west of two groundwater monitoring wells in the Horn Rapids development. He indicated that petroleum products, which have previously been detected in Weidle and Horn Rapids wells, were not detected during the 2008 sampling event. As stated in our report, Mr. Coleman indicated that he would be submitting a recommendation to the Washington Department of Ecology (Ecology) that a No Further Action (NFA) status be granted.

As a follow-up, we spoke with a representative from the City of Richland on August 25, 2008, to obtain information regarding the groundwater monitoring wells in the Horn Rapids development. Mr. Pete Rogalski indicated that no active sampling is being conducted, and that he would ask Ms. Nancy Aldrich to contact us with further information. However, no further information was forthcoming prior to our report publication.

303 WELLSIAN WAY • P.O. BOX 967
RICHLAND, WASHINGTON 99352
509•946•6309 FAX 509•946•6580
TDD: 1-800-833-6388

22-1-111233-001

North Stone Richland, LLC
Attn: Mr. Stew Stone
October 10, 2008
Page 2

SHANNON & WILSON, INC.

Based on information available to us at the time our report was published, our conclusion was that one Recognized Environmental Condition (REC) exists for the subject site, summarized as follows:

"Total Petroleum Hydrocarbons (TPH) have been detected in groundwater samples from two monitoring wells at the Horn Rapids development, one of which is located on the subject site (MW-1 in the North Area). The concentration exceeded the state's Model Toxics Control Act (MTCA) Method A cleanup level of 1 mg/L in a sample from MW-1 collected in April 2000 (2.3 mg/L). The other well (MW-4) is located approximately 1,000 feet northeast of the South Area and approximately 3,000 feet southeast of the North Area. Concentrations that exceed the MTCA Method A cleanup level in samples from MW-4 were 1.3 mg/L in March 1996 and 2.2 mg/L in April 2000. It is not known if any samples have been collected since 2000."

ADDITIONAL INFORMATION

On October 2, 2008, we received an e-mail from Mr. Paul Beals that included a table (Table 1) showing TPH results for samples from four wells (two at Horn Rapids and two in the Weidle neighborhood) and a copy of an NFA letter to the City dated August 6, 2008. Copies of both are attached to this addendum.

The e-mail correspondence indicated that Mr. Coleman prepared the table, which is a compilation of TPH analytical results for samples from monitoring wells MW-1 through -4. The well locations are shown on Figure 3 of our report (August 2008).

Table 1 indicates that three samples have been collected from the two Horn Rapids wells (MW-1 and MW-4) subsequent to the April 2000 event. According to the summary table, groundwater samples were collected in August 2000, May 2001, and May 2002. Reportedly, TPH was not detected at greater than 1 mg/L in any of the three most recent samples from MW-1 and MW-4.

The August 6, 2008, letter from Ecology to the City indicates that the NFA determination was based on the site hazard assessment (SHA) conducted by BFHD. We requested a copy of the SHA, which Mr. Coleman provided on October 6, 2008 (copy attached). The conclusions and recommendations indicate that "due to the sporadic detection of TPH and recent water sampling showing non-detect results, it is recommended that this site receive no further action under MTCA."

22-1-11233-001

North Stone Richland, LLC
Attn: Mr. Stew Stone
October 10, 2008
Page 3

SHANNON & WILSON, INC.

Additional backup information was also requested from the City regarding their Horn Rapids monitoring well sampling. We spoke with Ms. Aldrich on October 8, 2008. She indicated that records regarding the two wells are missing and that attempts to locate them have not been successful. The City's decision to discontinue monitoring after the 2002 event was based on the three consecutive rounds of sampling in which TPH was, reportedly, not detected.

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

Based on the information presented in this addendum, consecutive groundwater samples collected from both Horn Rapids wells in 2000, 2001, and 2002 have not indicated the presence of TPH at greater than 1 mg/L. Moreover, recent sampling (summer 2008) conducted by BFHD in the Weidle neighborhood that is in close proximity to MW-1 did not indicate the presence of TPH in the water samples from domestic wells.

Our interpretation of the available information is that whereas TPH has been detected in groundwater at the site previously, the impacts have apparently abated. In our opinion, the likelihood of TPH contamination to be present at the site at concentrations greater than regulatory criteria is relatively low. It is up to the owner/purchaser, based on his or her risk tolerance, fiduciary responsibility or the applicable law, to determine the extent of further inquiry, if any.

Sincerely,

SHANNON & WILSON, INC.


Donna R. Parkes
Senior Environmental Specialist

DRP:DJB/drp

Enclosures: Table 1. Total Petroleum Hydrocarbons (mg/L) in Well Water Sampled by City of Richland
Ecology NFA letter to City of Richland (8/6/2008)
Site Hazard Assessment (BFHD) August 1, 2008

Table 1. Total Petroleum Hydrocarbons (mg/L) in Well Water Sampled by City of Richland

Sample Date	W-1 ¹	W-2 ²	W-3 ³	Well 4 ⁴
3/31/1993	Not Sampled	<1	Not Sampled	Not Sampled
3/19/1996	<0.5	2.3	<0.5	1.3
4/3/1997	Sample broken	3.4	3.6	Not Sampled
6/16/1997 ⁵	Not Sampled	<1	<1	Not Sampled
3/11/1998	<1	<1	<1	<1
3/31/1999	<1	<1	<1	<1
4/5/2000	2.3	2.3	1.9	2.2
8/2/2000	<1	<1	<1	<1
5/5/2001	<1	<1	<1	<1
5/7/2002	<1	<1	1.0	<1
06/19/2002	Not Sampled	Not Sampled	1.3	Not Sampled

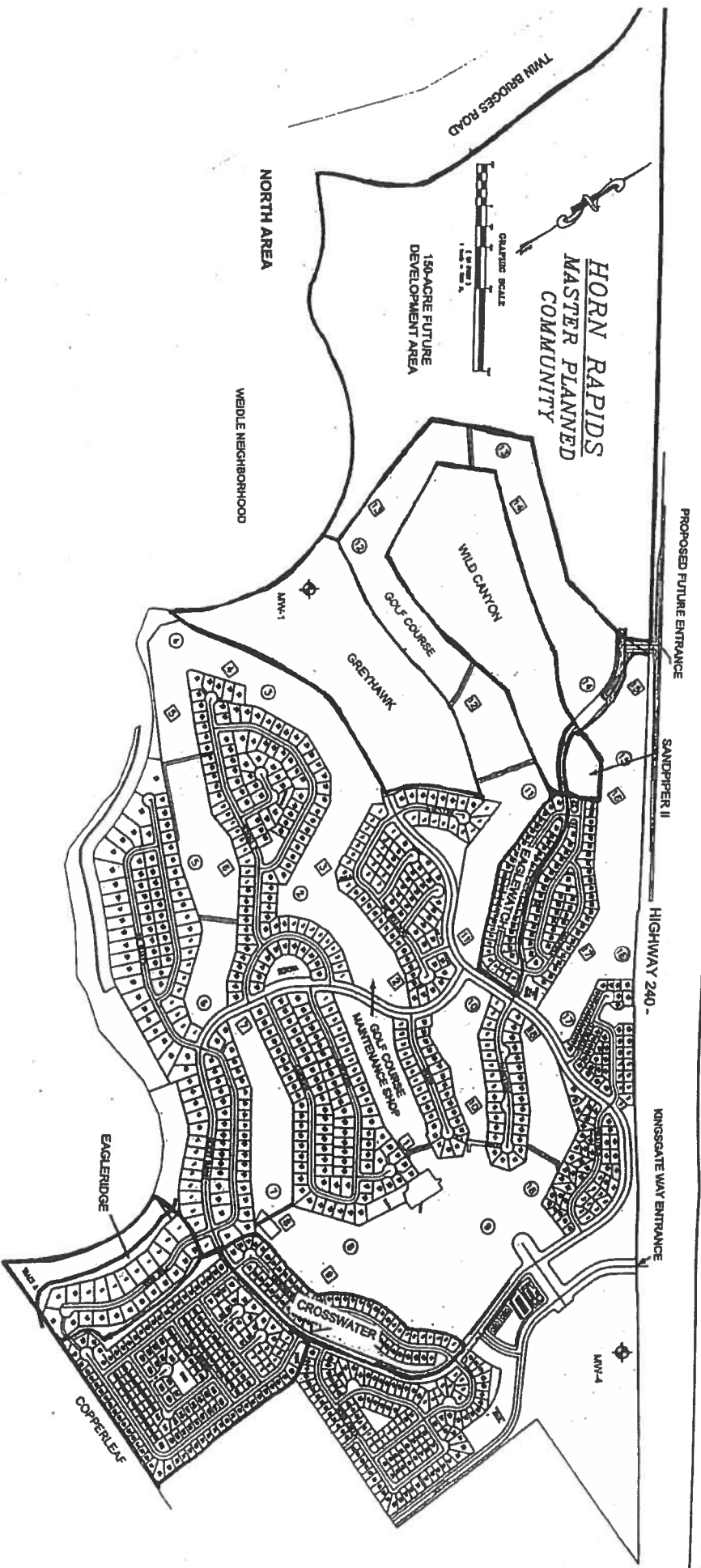
¹Well 1=Up-gradient well, NW of golf course

²Well 2=McComb drinking well. Current address is 80521 N 726 PR NE (Parcel ID 129082010746003), West Richland, WA 99336

³Well 3=McLain Residence drinking well. Current address is 81405 N Weidle Rd (Parcel ID 120083000006003), West Richland, WA 99336

⁴Well 4=Down-gradient, SE golf course

⁵Sampling performed by Ecology (CRO). At total of eleven wells in the WN were sampled.



- ◆ Monitoring well location and number
- Approximate boundary of new developments (subject site)

Base map provided by North Stone Richland, LLC

Phase I Environmental Site Assessment Horn Rapids Residential Developments Richland, Washington		
SITE PLAN		
August 2008	22-1-1189-001	
SHANNON & WILSON, INC. Geotechnical and Environmental Consultants		FIG. 2

**Site Hazard Assessment
Recommendation for No Further Action**

Horn Rapids Triangle Development/Weidle Neighborhood

**Near intersection of Weidle Road and E 811 PR NE
West Richland, Benton County, WA 99353
Ecology Facility Site ID No. 63597765
August 1, 2008**

Background/Site Description

In 1969, the City of Richland in Southeastern Washington purchased 6000 acres from the Federal Government. This area was commonly referred to as the Horn Rapids Triangle and was later subdivided. In 1993, Richland signed a contract with Columbia Triangle Venture to develop 834 acres of property between the Yakima River and State Route 240 into a golf course-oriented planned community. Located to the west of the proposed golf is a small community of approximately thirty homes called the Weidle Neighborhood (hereinafter referred to as WN). The WN is within Benton County but outside the city limits of Richland and is located near the intersection of Weidle Road and E 811 PR NE. Its resident's water supply is solely from shallow wells (20-40 feet) within the flood plain of the Yakima River. In addition, the WN is approximately one mile south of the Horn Rapids Landfill, which is listed on the Confirmed and Suspected Contaminated Site List maintained by the Washington Department of Ecology (Ecology). Groundwater contamination by halogenated organic compounds and soil contamination by petroleum products has been confirmed at the Horn Rapids Landfill.

In 1993, as part of a SEPA review for the golf course, Richland agreed to sample two wells in the WN and one well near the proposed golf course (W-1). Water level measurements were taken to determine the ground water flow and one well (W-2) was tested for chlorinated pesticides and herbicides and Total Petroleum Hydrocarbons (TPH). A second well (W-4) within the proposed golf course was added after initial sampling had been performed. Wells were identified with the following information:

- W-1 (Up-gradient well, NW Horn Rapids golf course)
- W-2 (McComb Residence drinking well)
- W-3 (McLain Residence drinking well)
- W-4 (Down-gradient, SE Horn Rapids golf course)

In March of 1996, water sampling was performed again. Analysis revealed TPH had exceeded Model Toxic Control Act (MTCA) Method A cleanup levels for groundwater in effect at the time in two of the four wells. Because TPH values exceeded MTCA Method A groundwater levels for TPH, the City of Richland began to monitor all four wells on an annual basis (see Table 1 for results).

Table 1. Total Petroleum Hydrocarbons (mg/L) in Well Water Sampled by City of Richland

Sample Date	W-1 ¹	W-2 ²	W-3 ³	Well 4 ⁴
3/31/1993	Not Sampled	<1	Not Sampled	Not Sampled
3/19/1996	<0.5	2.3	<0.5	1.3
4/3/1997	Sample broken	3.4	3.6	Not Sampled
6/16/1997 ⁵	Not Sampled	<1	<1	Not Sampled
3/11/1998	<1	<1	<1	<1
3/31/1999	<1	<1	<1	<1
4/5/2000	2.3	2.3	1.9	2.2
8/2/2000	<1	<1	<1	<1
5/5/2001	<1	<1	<1	<1
5/7/2002	<1	<1	1.0	<1
06/19/2002	Not Sampled	Not Sampled	1.3	Not Sampled

¹Well 1=Up-gradient well, NW of golf course

²Well 2=McComb drinking well. Current address is 80521 N 726 PR NE (Parcel ID 129082010746003), West Richland, WA 99336

³Well 3=McLain Residence drinking well. Current address is 81405 N Weidle Rd (Parcel ID 120083000006003), West Richland, WA 99336

⁴Well 4=Down-gradient, SE golf course

⁵Sampling performed by Ecology (CRO). At total of eleven wells in the WN were sampled.

In April of 1997, results of water sampling indicated that W-2 and W-3 were significantly above the 1.0 mg/L level for TPH (3.4 and 3.6 mg/L, respectively). CRO was eventually notified of the TPH test results. After reviewing the data, Richard Bassett at CRO concluded that water sampling should be performed at multiple wells in the WN because the residents were totally dependent on well water. On June 16, 1997, Ecology staff (Richard Bassett and Chung Yee) sampled 11 wells in the WN. Wells up-gradient and down-gradient of the McLain residence were chosen. Samples were analyzed for gasoline, diesel, benzene, BTEX, VOCs, and PCBs. All WN well samples were taken directly from the well head after the well reservoir had been purged three volumes. Samples were analyzed by Manchester Laboratory with rigorous quality assurance.

In a letter sent to Gary McLain (dated 7/29/97), Richard Bassett stated no contaminants were detected in any of the water samples taken from the eleven different wells. Mr. Bassett goes on to speculate sampling error in previous studies may have resulted in false positives.

In a later document (Toxics Cleanup Program Memorandum, 1997), Mr. Bassett stated he was told by other residents that previous samplers took at least one sample from an indoor tap, garden hoses were not uncoupled, and 60-80 gallon home pressure tanks were not purged prior to sampling. The letter to Mr. McLain (dated 7/29/97) marked the end of the CRO interim action (IA) according to an ISIS Site Data Summary.

It is unclear what knowledge or information Ecology shared with the City of Richland. Regardless, the City of Richland continued to sample water each spring until June of 2002. Interviews with both Nancy Aldrich (PLP Contact) and Steve McNutt (former employee at City of Richland) about why sampling was halted were conducted. Their impressions indicate there were several reasons for termination of the sampling. First, the City had fulfilled its obligations to sample the wells and the Weidle residents had been informed of the problem. Second, while the source of the contamination was never determined, it was unlikely that it originated from City of Richland property (Weidle neighborhood is outside of Richland city limits). Last, the City had notified Ecology's CRO of the problem. The CRO performed its own investigation/sampling and did not find any contamination. Therefore, due to the cost and man hours associated with the sampling, the City decided to stop the sampling.

Site Hazard Assessment

Nancy Aldrich, Public Works Special Projects Coordinator for the City of Richland, was notified by Ecology on May 22, 2008, that a site hazard assessment (SHA), under MTCA, Chapter 173-340-320 WAC, would be conducted at this site. In addition, Michael Carlson and Randall Gabaldon, home owners in the WN, were contacted in early June about SHA visits. Several trips in early June were made in the WN and Horn Rapids Development area to locate wells. An official SHA visit to the Carlson residence was made with Mr. Carlson present on June 17, 2008. On July 10, 2008, well water was sampled at the Carlson residence ("McLain Well", W-3), as well as at the Gabaldon residence ("McComb Well", W-2). Randall Gabaldon was present for the water sampling event. I did not sample either of the wells on the Horn Rapids Golf course because they were monitoring wells and not being used for domestic purposes.

Both wells had pitless adapters and sampling was performed at water spigots near the wells. The flow rate at both wells was ~5 gallons per minute and ~125 gallons were purged from the well prior to sampling. Water samples were taken and sent via FedEx to Anatek Laboratories on the same day. The water was analyzed for Total TPH and results determined no TPH could be detected.

Pathway Information

The **Surface Water Pathway** is not likely a significant route of potential exposure at this site, nor is the **Air Pathway**, due to the entirely subsurface nature of any possible remaining contamination, as well as the distance to any surface water of significance.

Groundwater is a viable pathway for contaminants in the WN and prior water sampling results did indicate the TPH has been present over the course of several years. Residents in the WN are still dependent on well water as no residential water system is in place at this time. Water sampling was performed again on July 10, 2008 at two different locations in the WN and TPH was not detected.

Conclusions and Recommendations

TPH exceeding MTCA Method A cleanup levels for groundwater (1.0 mg/L) was detected in two domestic wells in the WN and two wells in the Horn Rapids golf course. In addition, TPH was found on more than one occasion. However, TPH detection was sporadic during the seven years it was tested. In addition, the most extensive sampling event (1997) included eleven different wells, all of which were non-detect for TPH. Lastly, well water was analyzed from two wells (W-2 and W-3) in the WN on July 10, 2008, and they were also non-detect for TPH.

Due to the sporadic detection of TPH and recent water sampling showing non-detect results, it is recommended that this site receive no further action under MTCA. This recommendation is based on WAC 173-340-310(5)(d)(ii): that a release of a hazardous substance has occurred at the site, but in the department's judgment, does not pose a threat to human health or the environment.

References

- 1) Department of Ecology Environmental Report Tracking System Report #307467. Entry person: Smith, Debbie, 5/30/1997.
- 2) Department of Ecology Decision Recommendation (in regards to ERTS#C7467), Investigator: Richard Bassett, 6/19/1997.
- 3) Letter to Mr. and Mrs. Gary McLain from Richard Bassett discussing Weidle groundwater sampling results from 6/19/1997. Richard Bassett, 7/29/1997.
- 4) Department of Ecology (CRO) Internal Memo summarizing the findings at the Weidle Neighborhood. 1997.
- 5) Letter from Eric Damberg (City of Richland) to Gary McLain discussing WN ground water monitoring results. 4/22/1997.
- 6) Well Sampling and Testing, Horn Rapids Development, Richland, WA prepared by Shannon & Wilson, Inc. for the City of Richland. 4/1997.
- 7) Letter from Steve McNutt (City of Richland) to the Toxic Cleanup Program at CRO discussing WN groundwater monitoring. 9/22/2000.
- 8) Letter from Steve McNutt (City of Richland) to the Toxic Cleanup Program at CRO discussing WN groundwater monitoring. 7/29/2002.
- 9) Integrated site information system site data summary for Facility Site ID: 63597765, Site Name: Horn Rapids Development. 5/22/2008.

- 10) E-mail correspondence from Richard Bassett to Jim Coleman explaining which wells in the WN that were sampled on 6/16/97. 6/3/2008
- 11) Phone correspondence with Nancy Aldrich on 6/16/08.
- 12) Phone correspondence with Steve McNutt on 6/19/08.
- 13) Well water sample analysis results from Anatek Labs, Inc. Work completed on 7/21/2008

**FINAL REPORT
LEVEL 1
ENVIRONMENTAL SITE ASSESSMENT
HORN RAPIDS TRIANGLE DEVELOPMENT
RICHLAND, WASHINGTON**

MARCH 1993

COLUMBIA TRIANGLE VENTURES
14410 Bel-Red Road, Suite 200
Bellevue, Washington 99352



SHANNON & WILSON, INC.
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

1354 Grandridge Boulevard
Kennewick, Washington 99336 • 1037
509 • 735 • 1280

March 15, 1993

Columbia Triangle Ventures
14410 Bel-Red Road
Bellevue, Washington 98007

Attn: Mr. Mike Miller

**RE: LEVEL 1 ENVIRONMENTAL SITE ASSESSMENT, HORN RAPIDS TRIANGLE
DEVELOPMENT, RICHLAND, WASHINGTON**

This letter report provides the results of the Level 1 environmental site assessment conducted at the proposed Horn Rapids Golf Course/Residential development site. The objective of this assessment was to develop a professional opinion as to the potential presence of regulated hazardous or dangerous wastes and/or substances, including petroleum products, according to the Washington State Model Toxic Control Act (MTCA) in the soil or groundwater at the site in anticipation of development of the site into a golf course and residential complex. As detailed in our proposal of March 2, 1993, our scope of services consisted of:

- ▶ A reconnaissance of the site and immediate vicinity of the site.
- ▶ A visual assessment of the surficial conditions at the site.
- ▶ A review of records and historical data applicable to the site.
- ▶ Preparation of this report summarizing our findings and providing our conclusions and recommendations.

SITE LOCATION

The site is an undeveloped parcel containing approximately 658 acres in the Horn Rapids Triangle Area of Richland, Washington. The site is located south of SR-240, east of Grosscup Road, north of the Yakima River, and west of the Richland Core Area and Richland Airport/Industrial Area. The site encompasses parts of Sections 20, 28 and 29, Township 10 North, Range 28 East of the Willamette Meridian, Benton County. Figure 1 is a vicinity map indicating the relative location of the site and Figure 2 is a site plan indicating the layout of the parcel.

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SITE AND SURROUNDING LAND USE OBSERVATIONS

Representatives of Shannon & Wilson, Inc. visited the site on March 5 and 10, 1993, to observe the surface conditions and surrounding land use relative to this environmental site assessment. At the time of the first visit, the surface was partially snow-covered, but the snow had melted prior to the second visit. Features and conditions that were apparent were irregular surface contours, including some wind-blown areas; vehicle tracks and trails that meander throughout much of the site; sparse, low-growing vegetation; and some miscellaneous household trash that had been dumped at several locations. Two abandoned automobiles, some washing machines, hot water heaters, piles of asphalt shingles, an empty 55-gallon drum and a plastic container which may contain used motor oil and other miscellaneous items were observed at the site. Materials that potentially could contain asbestos were observed at two locations at the subject site. One is near the west side of the site and contains what appear to be ceiling tiles. Another site is more centrally located and contains asphalt shingles that have a fibrous, whitish paper backing.

An irrigation water ditch, known as the Horn Rapids Ditch, lies along the southern and eastern boundaries of the site. The ditch in the project vicinity has been abandoned and parts of it have caved in or sloughed off the steep southern slope of the site. No evidence of structures or underground storage tanks having been located at the site was found.

Surrounding land uses include agricultural, industrial, residential, recreational and municipal facilities, as well as additional undeveloped sites. The City of Richland municipal landfill and Horn Rapids Off-Road Vehicle (ORV) Park are located to the northwest of the subject site, north of the Grosscup Road and SR-240 intersection. The landfill opened in 1975 and has future expansion area to the east of the existing landfill. The site contains a water supply well and four groundwater monitoring wells. Information regarding the wells is discussed in the Hydrogeology and Groundwater Quality section. The landfill has above ground fuel storage for equipment operated at the site, as well as an above ground collection facility for used motor oil and old

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batteries. Wiser Farms Potato Storage has two buildings located directly west of the landfill that were constructed in 1991.

Horn Rapids Business Park is located directly north of the subject site. The area has been zoned for industrial businesses, but is mostly undeveloped at present. Lamb Weston, a potato processing company with multiple processing, office and warehouse buildings, is located to the southeast of the subject site. Lamb Weston's wastewater spray disposal fields are located approximately one-quarter mile from the eastern edge of the subject site. Other businesses in the vicinity of the Lamb Weston facility are Henningson Cold Storage and Glen Beddo Repair, an automobile repair shop. The Port of Benton Richland Airport is located directly south of Lamb Weston. The Skypark Complex at the airport has several air transportation, office and light industrial companies.

There are some irrigated agricultural lands and a rural housing development between the subject site and the Yakima River, to the south.

Other land uses in the broader area include the U.S. Department of Energy Hanford Reservation to the north. Siemens Power Corporation operates a nuclear fuels fabricating plant approximately two miles northeast of the subject site.

HYDROGEOLOGY AND GROUNDWATER QUALITY

Numerous groundwater studies conducted throughout the Hanford Reservation, at the municipal landfill, and other nearby locations have documented that the general direction of groundwater movement in this area is from west to east, towards the Columbia River. An observation/monitoring well will be constructed at the subject site as part of the hydrogeological study, to be discussed in a separate report.

The four groundwater monitoring wells at the Richland landfill were constructed in 1987 and range in depth from 112 to 137 feet. Water quality testing has been conducted since 1987 for

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conductivity, chloride, nitrate and nitrite, ammonia nitrogen, sulfate, iron, manganese, zinc, chemical oxygen demand, total organic carbon, and coliform bacteria. Whereas the bacteria counts are sometimes higher than would be acceptable for a drinking water supply, other constituents are within typical ranges. Furthermore, there do not appear to be any significant differences between the water quality in the upgradient well versus the three downgradient wells.

SITE HISTORY

The following ownership history was obtained from the City of Richland's "Horn Rapids Triangle Development Program Final Environmental Impact Statement", dated December, 1981. The actual dates of first use may vary from that presented and the history may not be complete. In addition, some aspects of land use and ownership may not be identified.

The subject site is part of a larger area known as the Horn Rapids Triangle (HRT). The report indicated that from the late 1800s through early 1943 irrigation system development and small tract farming prevailed in the area and a portion of the HRT was irrigated and farmed. In March, 1943, the subject site was part of a large area condemned for the Atomic Energy Commission Hanford Engineering Works Reservation. A county road map dated July 1950 (corrected to December 1954) shows the subject site as part of the Hanford Works, as does a 1963 aerial photograph from the U.S.D.A. Soil Conservation Service.

In 1967, SR-240 (Hanford Highway) was completed and the City of Richland annexed the Horn Rapids Triangle, which encompasses approximately 6,100 acres. The city entered into a contract with General Services Administration to purchase approximately 4,000 acres of the HRT. This left approximately 2,000 acres owned by the Bureau of Land Management (BLM) distributed throughout the area the city was purchasing. In 1978 the city entered into a contract to purchase the BLM land. The City of Richland is the present owner of the subject site.

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AERIAL PHOTOGRAPHS

Aerial photographs were reviewed for indications of land use at the subject site and in the surrounding area. The sources and years of the photographs reviewed are as follows:

USDA Soil Conservation Service (SCS)	1963, 1971 and 1982
USDA Agricultural Stabilization and Conservation Service (ASCS)	1978 and 1983

None of the photographs show evidence of buildings or development, other than dirt tracks, at the subject site. Copies of the aerial photos can be viewed at our office or at the referenced source.

AGENCY LIST REVIEW

Current lists from the Washington State Department of Ecology (Ecology) and the U.S. Environmental Protection Agency (EPA) were reviewed to determine if the subject site or other sites within approximately one-half mile were included. The lists reviewed included Ecology's hazardous waste investigations and cleanup sites (Toxics Cleanup Program Affected Media and Contaminants Report, [AMCR] dated 6-26-92), a list of registered underground storage tanks (USTs, dated 7-19-92), and the Leaking Underground Storage Tank (LUST, dated 7-16-92) list. The subject site was not included on the Ecology lists reviewed. Lamb Weston was included on the UST list. Information indicated that two petroleum storage tanks had been removed from that site. There are also registered underground fuel storage tanks at the Richland Airport, which is over one mile to the southeast.

The EPA lists reviewed included the Superfund site list (CERCLIS) and the RCRA hazardous materials handlers list. The CERCLIS list is a compilation of the sites which EPA has investigated or is currently investigating for a release or threatened release of hazardous substances pursuant to the Comprehensive Environmental Response, Compensation and Liability

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Act of 1980 (Superfund Act). The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities database is a compilation by EPA of reporting facilities that generate, store, transport, treat, or dispose of hazardous waste. The subject site was not included on the EPA lists reviewed. The following two sites were identified and are located within a one-half mile radius of the subject site:

CERCLIS LIST

City of Richland Landfill
Grosscup Road

RCRA FACILITIES LIST

Lamb Weston
2013 Saint Street

The landfill listing had the designation "NFA" indicating that after a preliminary investigation, the EPA anticipates taking no further action at the site.

FINDINGS

Based on our review and observations, Shannon & Wilson, Inc. offers the following:

The property is a currently undeveloped parcel adjacent to light industrial areas in the western part of Richland, Washington. No indication was found of previous land use, other than the possibility that some or all of the site may have been used for agricultural production prior to 1943. From observations at the site, it appears that there has been little, if any, use made of the site. The small amount of trash and the dirt tracks and trails are consistent with intermittent use by individuals for trash dumping and off-road vehicle and equestrian recreational uses.

Other past and present land use practices in the immediate vicinity of the subject site, which may have had an impact on subsurface soil and/or groundwater conditions, include agricultural production, wastewater spray field disposal at Lamb Weston, and municipal sanitary landfill.

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CONCLUSIONS AND RECOMMENDATIONS

Based upon the above findings, Shannon & Wilson, Inc. offers the following:

Through review of regulatory agency lists and water quality data from the Richland landfill, no indications were found that hazardous materials or petroleum products have been determined to have affected soil and/or groundwater at or adjacent to the subject site. Neither the Richland landfill nor Lamb Weston's wastewater spray fields are located upgradient of the subject site. Furthermore, there is no indication that there has been agricultural usage of the subject site in the past 50 years.

Some of the trash observed at the site may require special handling and disposal prior to initiation of grading operations. The plastic container which may contain used motor oil should be disposed of at an approved location, such as the oil collection station at the municipal landfill. Materials that potentially could contain asbestos, observed at two locations at the subject site, should be sampled and analyzed for asbestos content. This determination should be made prior to any further waste handling or clearing operations at the site.

Other than the above recommendations, Shannon & Wilson, Inc. is of the opinion that the potential for hazardous substances in the subsurface environment from past uses at the site is low.

CLOSURE

The findings we have presented in this report are based on limited research conducted at this site and should not be construed as a definite statement regarding reported conditions. The data presented in this report should be considered representative of the time of our site observations. Changes in the condition of the property can occur with the passage of time. In addition, changes in government codes, regulations, or laws may occur. Due to such changes, our observations and recommendations applicable to this site may need to be revised, wholly or in part, due to changes beyond our control.

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Attn: Mike Miller
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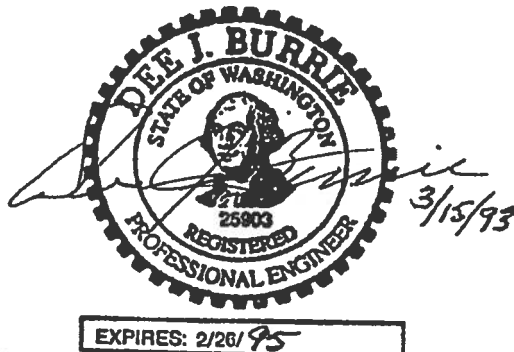
SHANNON & WILSON, INC.

Shannon & Wilson, Inc. conducted this environmental assessment within our best judgment to adequately describe the known and anticipated conditions of the property. The report was prepared for the exclusive use of Columbia Triangle Ventures and its representatives, and the company in no way guarantees that any agency or its staff will reach the same conclusions as Shannon & Wilson, Inc.

If you have any questions regarding our report or observations or would like further explanation, please contact us at your convenience.

Respectfully submitted,

SHANNON & WILSON, INC.

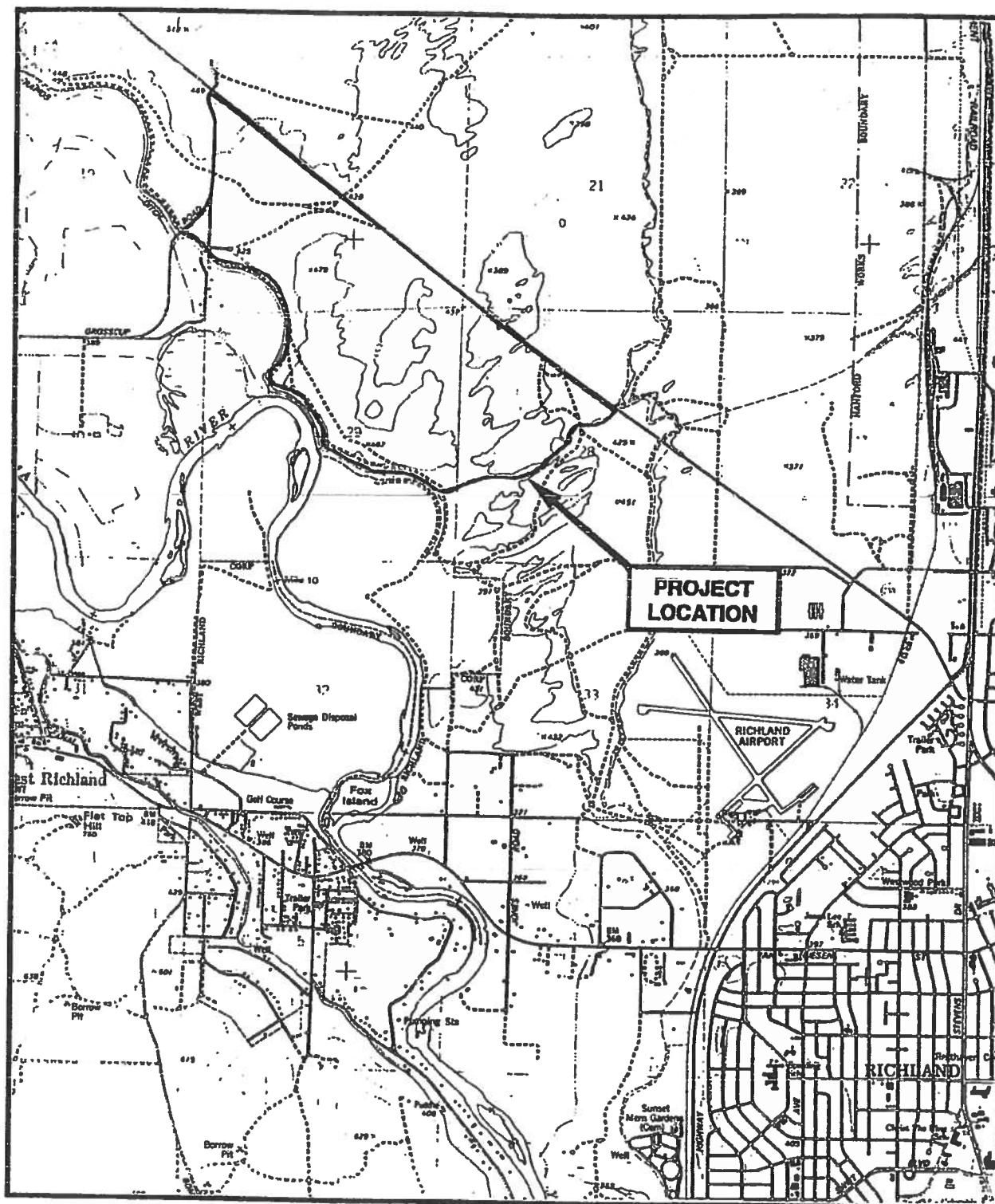


Donna R. Parkes
Donna R. Parkes
Environmental Scientist

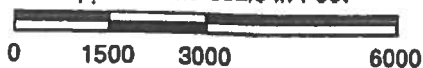
DRP:DJB:JTA/ejh

Enclosure: Figure 1 - Vicinity Map
Figure 2 - Site Map
Important Information About Your Subsurface Waste Management Remediation Report

H-1033-03



Approximate Scale in Feet



Map adapted from USGS topographic map of
Richland, Washington quadrangle, dated 1978.

Horn Rapids Development
Level 1 Environmental Site Assessment
Richland, Washington

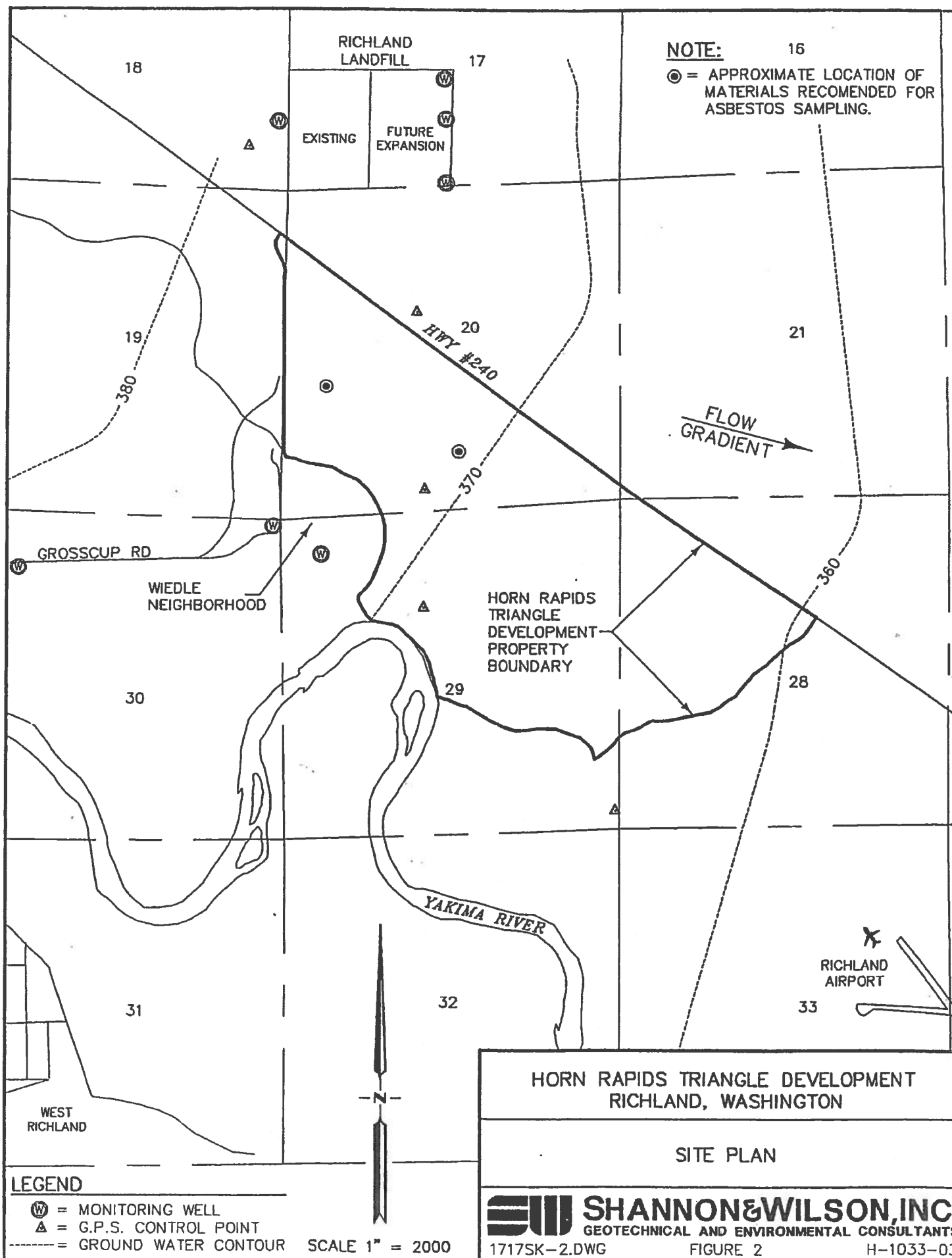
VICINITY MAP

March 1993

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SHANNON & WILSON, INC.
Geotechnical & Environmental Consultants

FIG. 1





Dated: March 15, 1993

To: Columbia Triangle Ventures

Attn: Mike Miller

Important Information About Your Geotechnical Engineering/ Subsurface Waste Management (Remediation) Report

GEOTECHNICAL SERVICES ARE PERFORMED FOR SPECIFIC PURPOSES AND PERSONS.

Consulting geotechnical engineers prepare reports to meet the specific needs of specific individuals. A report prepared for a civil engineer may not be adequate for a construction contractor or even another civil engineer. Unless indicated otherwise, your consultant prepared your report expressly for you and expressly for purposes you indicated. No one other than you should apply this report for its intended purpose without first conferring with the consultant. No party should apply this report for any purpose other than that originally contemplated without first conferring with the geotechnical engineer/geoscientist.

AN ENGINEERING REPORT IS BASED ON PROJECT-SPECIFIC FACTORS.

A geotechnical engineering/subsurface waste management (remediation) report is based on a subsurface exploration plan designed to consider a unique set of project-specific factors. Depending on the project, these may include: the general nature of the structure and property involved; its size and configuration; its historical use and practice; the location of the structure on the site and its orientation; other improvements such as access roads, parking lots, and underground utilities; and the additional risk created by scope-of-service limitations imposed by the client. To help avoid costly problems, have the consulting engineer(s)/scientist(s) evaluate how any factors which change subsequent to the date of the report, may affect the recommendations. Unless your consulting geotechnical/civil engineer and/or scientist indicates otherwise, your report should not be used: 1) when the nature of the proposed project is changed (for example, if an office building will be erected instead of a parking garage, or if a refrigerated warehouse will be built instead of an unrefrigerated one, or chemicals are discovered on or near the site); 2) when the size, elevation, or configuration of the proposed project is altered; 3) when the location or orientation of the proposed project is modified; 4) when there is a change of ownership; or 5) for application to an adjacent site. Geotechnical/civil engineers and/or scientists cannot accept responsibility for problems which may occur if they are not consulted after factors which were considered in the development of the report have changed.

SUBSURFACE CONDITIONS CAN CHANGE.

Subsurface conditions may be affected as a result of natural changes or human influence. Because a geotechnical/waste management engineering report is based on conditions which existed at the time of subsurface exploration, construction decisions should not be based on an engineering report whose adequacy may have been affected by time. Ask the geotechnical/waste management consultant to advise if additional tests are desirable before construction starts. For example, groundwater conditions commonly vary seasonally.

Construction operations at or adjacent to the site and natural events such as floods, earthquakes, or groundwater fluctuations may also affect subsurface conditions and, thus, the continuing adequacy of a geotechnical/waste management report. The geotechnical/civil engineer and/or scientist should be kept apprised of any such events, and should be consulted to determine if additional tests are necessary.

MOST GEOTECHNICAL RECOMMENDATIONS ARE PROFESSIONAL JUDGMENTS.

Site exploration and testing identifies actual surface and subsurface conditions only at those points where samples are taken. The data were extrapolated by your consultant who then applied judgment to render an opinion about overall subsurface conditions. The actual interface between materials may be far more gradual or abrupt than your report indicates. Actual conditions in areas not sampled may differ from those predicted in your report. While nothing can be done to prevent such situations, you and your consultant can work together to help minimize their impact. Retaining your consultant to observe subsurface construction operations can be particularly beneficial in this respect.

A REPORT'S CONCLUSIONS ARE PRELIMINARY.

The conclusions contained in your geotechnical engineer's report are preliminary because they must be based on the assumption that conditions revealed through selective exploratory sampling are indicative of actual conditions throughout a site. Because actual

subsurface conditions can be discerned only during earthwork, you should retain your geotechnical engineer to observe actual conditions and to finalize conclusions. Only the geotechnical engineer who prepared the report is fully familiar with the background information needed to determine whether or not the report's recommendations based on those conclusions are valid and whether or not the contractor is abiding by applicable recommendations. The geotechnical engineer who developed your report cannot assume responsibility or liability for the adequacy of the report's recommendations if another party is retained to observe construction.

THE GEOTECHNICAL ENGINEERING/SUBSURFACE WASTE MANAGEMENT (REMEDIATION) REPORT IS SUBJECT TO MISINTERPRETATION.

Costly problems can occur when other design professionals develop their plans based on misinterpretation of a geotechnical engineering/subsurface management (remediation) report. To help avoid these problems, the geotechnical/civil engineer and/or scientist should be retained to work with other project design professionals to explain relevant geotechnical, geological, hydrogeological and waste management findings and to review the adequacy of their plans and specifications relative to these issues.

BORING LOGS AND/OR MONITORING WELL DATA SHOULD NOT BE SEPARATED FROM THE ENGINEERING/WASTE MANAGEMENT REPORT.

Final boring logs developed by the geotechnical/civil engineer and/or scientist are based upon interpretation of field logs (assembled by site personnel), field test results, and laboratory and/or office evaluation of field samples and data. Only final boring logs and data are customarily included in geotechnical engineering/waste management reports. These final logs should not, under any circumstances, be redrawn for inclusion in architectural or other design drawings, because drafters may commit errors or omissions in the transfer process.

To minimize the likelihood of boring log or monitoring well misinterpretation, contractors should be given ready access to the complete geotechnical engineering/waste management report prepared or authorized for their use. If access is provided only to the report prepared for you, you should advise contractors of the report's limitations, assuming that a contractor was not one of the specific persons for whom the report was prepared and that developing construction cost estimates was not one of the specific purposes for which it was prepared. While a contractor may gain important knowledge from a report prepared for another party, the contractor should discuss the report with your consultant and perform the additional or alternative work believed necessary to obtain the data specifically appropriate for construction cost estimating purposes. Some clients hold the mistaken impression that simply disclaiming responsibility for the accuracy of subsurface information always insulates them from attendant liability. Providing the best available information to contractors helps prevent costly construction problems and the adversarial attitudes which aggravate them to a disproportionate scale.

READ RESPONSIBILITY CLAUSES CLOSELY.

Because geotechnical engineering/subsurface waste management (remediation) is based extensively on judgment and opinion, it is far less exact than other design disciplines. This situation has resulted in wholly unwarranted claims being lodged against geotechnical/waste management consultants. To help prevent this problem, geotechnical/civil engineers and/or scientists have developed a number of clauses for use in their contracts, reports and other documents. These responsibility clauses are not exculpatory clauses designed to transfer the engineer's or scientist's liabilities to other parties; rather, they are definitive clauses which identify where the engineer's or scientist's responsibilities begin and end. Their use helps all parties involved recognize their individual responsibilities and take appropriate action. Some of these definitive clauses are likely to appear in your report, and you are encouraged to read them closely. Your engineer/scientist will be pleased to give full and frank answers to your questions.

The preceding paragraphs are based on information provided by the
ASFE/Association of Engineering Firms Practicing in the Geosciences, Silver Spring, Maryland

EIS ADDENDUM

Horn Rapids Master Planned Community

Prepared For

Columbia Triangle Venture

by

Butler & Associates

April 28, 1993

HORN RAPIDS ENVIRONMENTAL STUDY

for

ATG

August 1998

**Northstone Richland, LLC
Statement in Support of it's
2019 Comprehensive Plan Amendment Application**

1. Purpose of the Proposed Amendment:

The comprehensive plan amendment consists of changing a 12.55 acre site from its current Low Density Residential land use designation to a Medium Density Residential land use designation. A companion zone change application would rezone the same parcel from R1-10 Single Family Residential to R2S – Medium Residential Small Lot and would also change the zoning on a second 16.63 acre parcel from R-2 Medium Density Residential to R2-S Medium Density Residential Small Lot.

This application for a comprehensive plan amendment and rezone is submitted by North Stone Richland, LLC for the purpose of developing the site with the future Crystal Springs Subdivision, a single family residential development, in keeping with the existing pattern of single family neighborhoods that are developing within the Horn Rapids community. The Crystal Springs subdivision is planned to provide a similar product to what exists within the Copperleaf, Grayhawk and Wild Canyon plats as well as the approved but not yet built Quail Ridge plat. The area of the proposed plan amendment runs along the southwestern boundary of the Horn Rapids community along a bluff, which lies adjacent to unincorporated County land and a vacated irrigation canal.

This vacated irrigation canal, once under the City's ownership has been turned over to the adjacent County residents. At approximately 100 feet in width, the irrigation canal right-of-way now serves as a buffer between the large lot county residences and the proposed Crystal Springs subdivision. The City has reserved a 20 foot wide strip adjacent to the vacated irrigation canal property in order to provide for the continuation of the Tapteal Trail through the Horn Rapids Community.

Horn Rapids is a unique development in Richland in the characteristic that much of the Golf Course is considered open space that would more typically be incorporated into lots. In many developments where open space is non-existent, lots are created larger, allowing for larger homes. In past developments we have designed the majority of the lots to be approximately 6,500-7,200 square feet in area and the market conditions (buyer desires) dictate the preferred one-story homes of 2,000-2,400 square feet and larger with three car garages of 500-700 square feet and covered patios for outdoor enjoyment of 150-300 square feet, equaling approximately 45 – 55% of the lot size. In order to meet these market conditions and not enlarge the lots, which is contradictory to the intention of medium and high density zoning, the R2-S zoning is needed. With R2-S zoning, we will be able to accommodate the desired home size and provide the same number of homes within a smaller area than if the present R1-10 and R-2 zoning is retained.

The R2-S zoning provides for housing that has a slightly higher percentage of lot coverage (50% compared to 40% in R1-10 zoning). Additionally, the R2-S zone allows for narrower lots widths and slightly more flexibility in setbacks. The majority of the property within the proposed Crystal Springs subdivision is zoned R-3, a zone which allows for the same one family detached housing development standards as the R2-S zone. The R2-S zone allows for a five foot reduction in the front yard setback (a three foot reduction for the portion of the structure used for a garage) and a five foot reduction in

the rear yard setback when compared to the R-2 and R1-10 zones and a four foot reduction in the side yard setback when compared to the R1-10 zone.

In addition to smaller lot sizes and the product meeting the needs and demands of the market, the costs associated with street and utility improvements are reduced when compared to development costs of an R1-10 and R-2 zoned property which require the same infrastructure costs to serve a fewer number of lots.

The Horn Rapids Master Planned Community has been under a stable development plan for the past fifteen years due to our ability to construct a product that meets the needs and demands of the market place. The proposed Crystal Springs subdivision will continue to provide a product that is compatible with the adjacent neighborhoods in the Horn Rapids Master Planned Community and will make efficient use of the residential land that is currently available for development. Further, it will continue to provide a unique and competitively priced housing choice within the City. We believe that approval of the applications is in the best interests of both the Horn Rapids Community and the City of Richland.

Northstone Richland, LLC agrees to record a covenant on the future Crystal Springs plat that lots within this plat will be developed with detached single family homes only. No duplexes or apartments would be permitted. Previous subdivisions that are zoned R2-S carry this same restriction.

2. Describe how the amendment is consistent with the goals of the Washington State Growth Management Act

Refer to Attachment A – GMA Planning Goals

3. Describe how the amendment is consistent with the adopted countywide planning policies

Refer to Attachment B – Consistency with CWPP

4. Describe how the amendment furthers the purpose of the City's comprehensive plan

Refer to Attachment C – Consistency with City Plan

5. Describe how the amendment is internally consistent with the City's comprehensive plan as well as other adopted city plans and codes:

Attachments A through C all describe how this application is consistent with the goals of the Growth Management Act, the Countywide Planning Policies and the goals of the City's Comprehensive Plan. We believe the proposal to be entirely consistent with these documents. In fact, the application would help to further the goals of the City's plan. Specifically, approval of the proposed amendment would help to increase housing choices in the City of Richland, in furtherance of Land Use Goal 3. The type of single family lots that would be created following approval of the proposed plan amendment and rezone are only available within the Horn Rapids Community. Subdivisions like Grayhawk, Copperleaf and Wild Canyon have been built at similar densities under the provisions of R2-S zoning. Their absorption into the market demonstrates that they are meeting a market demand. Building more of these type of lots would be entirely

consistent with both the character of development that is occurring within the Horn Rapids Community and would be consistent with the Horn Rapids Master Plan that was originally adopted by the City in 1993.

6. If applicable, how the project will meet concurrency requirements for transportation

Concurrency requirements will need to be addressed in detail when a specific development plan is brought forward for the Crystal Springs subdivision. That is part of the City's requirement for reviewing development proposals (See RMC 19.650.010(C)). However, some general assumptions about the site can be made to determine the numbers of units and traffic volumes that may be generated by the type of residential development that could occur on site. First, a summary of the current development potential of the 54.4 acres that would comprise the Crystal Springs subdivision is listed below, based on the following assumptions:

- A. Twenty percent of the total area would be used for infrastructure and public facilities needed to support the development (streets, utilities, stormwater facilities)
- B. The remaining area 80% of the land area would be developed at maximum density allowed under the existing zoning:

Potential Traffic Generation under Existing Zoning

Existing Zoning	Maximum Density	Total Acres	Acres Available for Development*	Potential Dwelling Units	Total Daily Trips**
R1-10	10,000 sq. ft. SF lots	12.55	10	43	352
R-2	10,000 sq. ft. Duplex Lots	16.63	13.3	116	928
R-3	1 multi-family unit/ 3,000 sq. ft.	25.2	20.1	291	1,862
Totals		54.38	43.4	450	3,142

*Area remaining after set asides for streets and other needed infrastructure.

**From Institute of Traffic Generation: Single Family = 8.2 ADT; Duplex = 8.0 ADT; Apt = 6.4 ADT

While the proposed plan amendment and rezone would increase the potential density of the R1-10 and R-2 zoned areas, the proposal is strictly for a single family subdivision. Crystal Springs is presently planned for 165 single family lots. While that number may increase or decrease slightly during the design and approval phases of the project, the number of trips generated by the subdivision would be significantly less than that allowed under existing zoning. Assuming 8.2 trips per single family lot, a total of 1,353 trips would be generated by the Crystal Springs subdivision, or **1,789 trips less** than what is allowed under the existing zoning in place for the same land area.

7. Supplemental environmental review and/or critical areas review

The original application included a completed environmental checklist. Attachment D provides a completed Part C – Supplemental Sheet for Non-project Actions.

Attachment A
Northstone Richland LLC, Application for Comprehensive Plan Amendment
Consistency with Growth Management Act Goals

The goals of the Washington State Growth Management Act (RCW 36.70A.020) are reprinted below with a brief statement identifying how the proposed comprehensive plan amendment relates to the GMA goal.

- (1) **Urban growth.** *Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

Response: The proposed comprehensive plan amendment is located immediately adjacent to a fully developed residential neighborhood where the street and utility systems are already in place and have been designed to accommodate the additional growth anticipated under this comprehensive plan amendment application. The proposed plan amendment is consistent with this goal.

- (2) **Reduce sprawl.** *Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

Response: The proposed comprehensive plan amendment application seeks to change property from a Low Density Residential land use designation to a Medium Density land use designation, thereby resulting in a slight increase in the overall density that could be developed on site and eliminating the possibility that the project could be described as low-density sprawl.

- (3) **Transportation.** *Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.*

Response: The location of the proposed comprehensive plan amendment is within the Horn Rapids Master Planning area and follows the original street layout designed in the original plan. The existing street system includes two access points from State Route 240 and eventually will include an access road onto Twin Bridges Road, providing for good vehicular and pedestrian movements throughout the Horn Rapids community. The Horn Rapids community also provides a system of pedestrian trails and walkways. The proposed amendment would result in a continuation of this transportation network and so is consistent with this goal.

- (4) **Housing.** *Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.*

Response: The proposed comprehensive plan amendment would result in lot sizes that are slightly smaller than those typically associated with single family development within the City of Richland. There would be a modest increase in the density of development. This coupled with the less restrictive setbacks permitted under the proposed zoning would work to reduce the land costs of development and therefore the application provides an opportunity for more affordable housing.

- (5) **Economic development.** *Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.*

Response: The proposed comprehensive plan amendment is consistent with the Horn Rapids Master Plan and would not change the type of development permitted under the current comprehensive plan designation and so is consistent with the adopted Richland Comprehensive Plan. The expansion of single family housing within the Horn Rapids community would continue to provide jobs within the home building industry. Further, additional housing within Horn Rapids will provide increased opportunities for commercial services to locate within the Horn Rapids area. The proposed plan amendment is consistent with this economic development goal.

- (6) **Property rights.** *Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.*

Response: The proposal does not involve the taking of private lands for public purposes.

- (7) **Permits.** *Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.*

Response: The proposed comprehensive plan amendment has been filed in accordance with City regulations and is scheduled to be processed along with all other comprehensive plan amendments that have been filed within the City's annual plan review cycle, in accordance with the State Growth Management Act.

- (8) **Natural resource industries.** *Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.*

Response: The proposed comprehensive plan amendment does not involve natural resource land or agricultural lands. The site has not been used for as agricultural land previously.

- (9) **Open space and recreation.** *Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.*

Response: The proposed comprehensive plan amendment would change only the residential designation on the land. Under the existing comprehensive plan, the site has not been identified for use as park or open space. The Horn Rapids residential community includes ample park and open space, including the Horn Rapids golf course, community clubhouse and pool, a system of pedestrian trails, a public park (Hanford Legacy Park) located north of State Route 240 in close proximity to the Horn Rapids

community and a bicycle path that runs parallel to State Route 240. The proposed amendment would benefit from these existing park and open space improvements and would not impact natural resource lands and is therefore consistent with this goal.

- (10) **Environment.** *Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.*

Response: Development of the site would be subject to City and State environmental regulations whether developed under either the existing or proposed land use designations and zoning. There are no natural water features on-site or any priority habitats or species as identified under the Washington State Department of Fish and Wildlife data bases. Therefore, the application would not negatively impact the natural environment, nor air or water quality.

- (11) **Citizen participation and coordination.** *Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.*

Response: The application was filed in accordance with existing City regulations, which will require public notification and hearings before both the Planning Commission and City Council.

- (12) **Public facilities and services.** *Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.*

Response: The proposed comprehensive plan amendment site is located in an area where public facilities and services are present and serve an existing adjacent neighborhood. The existing street network and utility systems have been built with the intent that they would be extended to serve the lands included in the proposed amendment. The amendment would result in only a slight increase in residential density over what was previously planned for the area, but not at a scale that would tax public facilities and services beyond that which was anticipated under the existing plan designations. Therefore the proposed amendment is consistent with this goal.

- (13) **Historic preservation.** *Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.*

Response: There are no structures on the site and no known sites of historical or archaeological significance.

Attachment B
Northstone Richland LLC, Application for Comprehensive Plan Amendment
Consistency with County Wide Planning Policies

The Benton County Wide Planning Policies most recently adopted by the Benton County Commission on February 7, 2017 are reprinted below with a brief statement identifying how the proposed comprehensive plan amendment relates to the adopted County Wide Planning Policies.

Policy 1: *The comprehensive plans of Benton County and each of the cities therein shall be prepared and adopted with the objective to facilitate economic prosperity by accommodating growth consistent with the 12 goals of the Growth Management Act.*

Response: A specific response as to how the application is consistent with the 13 goals of the Growth Management Act is addressed in Attachment A.

Policy 2: *The County shall allocate future projected populations through the use of the latest population projections published by the Washington State Office of Financial Management (OFM). Allocation of future populations shall be based on the following distribution: City of Kennewick 40% of total county population; City of Richland 28% of total county population; Benton County 19% of total county population; City of West Richland 8% of total county population; City of Prosser 3% of total county population and City of Benton City 2% of total county population. The County, in consultation with the Cities will review the OFM population projection ranges (Low, Medium, and High) and allocation percentages whenever OFM publishes new GMA population projections.*

Response: The proposed comprehensive plan amendment would have only very slight changes in the population that would be anticipated to live within the area of the proposed comprehensive plan amendment. The net result of the proposed comprehensive plan amendment would be the addition of a few single family residential lots. This minor change would not have a discernible impact on the population projections for either the County or the City and would not involve any changes to the population allocation formula.

Policy 3: *The locating of Urban Growth Areas within the County shall be accomplished through the use of accepted planning practices which provide sufficient land and service capacity, up to the determined need, to meet project populations at urban densities and service standards within the Cities, and urban densities for those portions of the County located within the urban growth areas.*

Response: The proposed comprehensive plan amendment would provide for a very slight increase in density within the City of Richland in a location where the existing and projected utility infrastructure and street network could easily accommodate the impacts of the increased density. This slight increase in density would help in a small way for the City to accomplish the goal of providing for adequate area to meet its expected population increase.

Policy 4: *That Urban Growth Areas of each City shall be based upon official and accepted population projections for minimum of 20 years. The gross undeveloped and underdeveloped acreage within the city limits and the Urban Growth Area shall be sufficient to meet all the land requirements, for the following: community and essential public facilities, population projection, commercial and industrial activities,*

employment projections, infill and to prevent inflation of land cost due to a limited land supply. (Note: The complex formula for identifying per capita land needs included in this policy has not been reprinted here.)

Response: The proposed comprehensive plan amendment is consistent with the overall intent of the existing plan, which is to provide area for single family residential development. The change would result in a very slight increase in the density of development that would occur on this property and would not lead to any changes needed in the City's population projections or urban growth area boundaries.

Policy 5: *That within the urban growth area, urban uses shall be concentrated in and adjacent to existing urban services or where they are shown on a Capital Improvement Plan to be available within 6 years.*

Response: The proposed comprehensive plan amendment occurs in an area that has already been identified for use as urban residential land. Existing City plans anticipate the extension of streets and utility systems to serve this area. Existing streets and utility lines are in place immediately adjacent to the site. The proposed plan amendment is consistent with the intent of this policy.

Policy 6: *That cities limit the extension of service district boundaries and water and sewer infrastructure to areas within each jurisdiction's urban growth area contained in their adopted Comprehensive Plan. Utility plans should attempt to reflect possible needs for 50 years.*

Response: The proposed comprehensive plan amendment would not involve any changes to the City's plan for extension of its utilities as the area in question is already planned to be served with the full range of City utilities. The proposed slight increase in residential density is minor enough that no upsizing of utility lines or capacities is needed to support to the proposed plan change, so the proposed amendment is entirely consistent with this policy.

Policy 7: *Within each Comprehensive Plan, the Land Use Plan for urban growth areas shall designate urban densities and indicate the general locations of greenbelt and critical areas.*

Response: The proposed comprehensive plan amendment would result in a very minor increase in the allowable urban density for the site. The development would be consistent with the City's Horn Rapids Master Plan, which includes ample greenbelts and open spaces throughout the Horn Rapids community. It would continue to provide for the development of a pedestrian trail along the boundary of the site, as anticipated under the Horn Rapids Master Plan. There are no known critical areas on or adjacent to the site. Therefore, the proposal is consistent with this policy.

Policy 8: *Wherever possible, given consideration of all other variables, such as existing unused service infrastructure, the placement of an urban growth line into an area of existing commercial agriculture shall be avoided.*

Response: The proposed comprehensive plan amendment does not involve either the movement of an urban growth line or the conversion of commercial agricultural lands. The proposed plan amendment is consistent with this policy.

Policy 9: *The appropriate directions for the expansion of urban growth areas are those which are unincorporated land with existing service infrastructure and lands adjacent to corporate limits.*

Response: The proposed comprehensive plan amendment does not involve an expansion of an urban growth area boundary. The site is located within an existing urban growth area and falls within the corporate limits of the City of Richland, so the proposed plan amendment is consistent with this policy.

Policy 10: *All policies within each jurisdiction's Comprehensive Plans shall be modified to be consistent with adopted Countywide Policies.*

Response: The proposed comprehensive plan amendment would not require the amendment of any policies within the City of Richland Comprehensive Land Use Plan.

Policy 11: *The County and Cities, along with public participation shall develop a cooperative regional process to site essential public facilities of regional and statewide importance. The objective of the process shall be to ensure that such facilities are located so as to protect environmental quality, optimize access and usefulness to all jurisdictions, and equitably distribute economic benefits/burdens throughout the region or county.*

Response: The proposed comprehensive plan amendment involves only a minor change in the potential density of residential development on the site. It does not involve the siting of essential public facilities. The plan amendment is consistent with this policy.

Policy 12: *Support the existing solid waste program that promotes and maintains a high level of public health and safety, protects the natural and human environment of Benton County and encourages public involvement by securing representation of the public in the planning process.*

Response: The proposed comprehensive plan amendment would result in residential development in an area within the City that will be served by the City solid waste collection program. It would not impact existing solid waste programs and so will be consistent with this policy.

Policy 13: *Encourage and expand coordination and communication among all jurisdictions and solid waste agencies/firms in Benton and Franklin Counties in order to develop consistent and cost effective programs that avoid duplication of effort and gaps in program activities.*

Response: The proposed comprehensive plan amendment would not impact existing solid waste programs.

Policy 14: *Maintain active County-City participation in the Regional Transportation Planning Organization in order to facilitate City, County and State coordination in planning regional transportation facilities and infrastructure improvements to serve essential public facilities including Port District facilities and properties.*

Response: The proposed comprehensive plan amendment would not impact existing City, County or regional transportation plans. Rather, the proposal relies on the existing and planned street network that serve the Horn Rapids area as identified in the Horn Rapids Master Plan. The development that would occur within the area of the proposed plan amendment would extend streets in a manner as identified in that master plan and so is consistent with the intent of this policy.

Policy 15: *The County and Cities within shall work together to provide housing for all economic segments of the population. All jurisdictions shall seek to create the conditions necessary for the construction of affordable housing, at the appropriate densities within the cities and county. The following actions should be accomplished:*

- a. Jointly quantify and project total countywide housing needs by income level and housing type (i.e. rental, ownership, senior, farm worker housing, group housing.)*
- b. Establish a mechanism whereby the housing efforts/programs of each jurisdiction address the projected countywide need.*
- c. Address the affordable housing needs of very low, low and moderate income households, and special needs individuals through the Comprehensive Housing Affordability Strategy (CHAS).*
- d. Develop design standards for implementation within the Comprehensive Plan with special attention to be given to the residential needs of low to moderate income families.*

Response: The proposed plan amendment would result in a slight increase in the density allowable to be constructed on the project site. The zoning that would be applied to the site if the plan amendment is approved also provides for lessor setbacks than those allowed under the current zoning. Both of these provisions allow for a more efficient use of property that will help to keep development costs of this future single family residential neighborhood down. Development on the site would be very similar in terms of lot size, home size and quality of development with the existing adjacent neighborhoods in the Horn Rapids community. The plan amendment will help to achieve the goal of providing more affordable housing.

Policy 16: *Urban growth areas may include territory located outside of a city if such territory may be characterized by urban growth or is adjacent to territory already characterized by urban growth. Within urban growth areas, only urban development may occur. (Note: the definition of “urban” included in the policy language has not been reprinted here.)*

Response: The proposed comprehensive plan amendment is located in an area that is incorporated within the City of Richland and is already part of Richland’s Urban Growth Area. Therefore, the proposed amendment would not impact urban growth area boundaries and so is consistent with this policy.

Policy 17: *To encourage logical expansion of corporate boundaries into urban growth areas, and to enable the most cost efficient expenditure of public funds for the provision of urban services into newly annexed areas. The County and each City shall jointly develop and implement development, land division and building standards, and coordinated permit procedures for the review and permitting of new subdivision within Urban Growth Areas.*

Response: As the proposed comprehensive plan amendment site is located within the City, it does not impact City/County efforts to establish joint development standards.

Policy 18: *Consistent with the protection of public health, safety, welfare and the use of natural resources on a long-term sustainable basis, the ability of service capacity to accommodate demands, and the expressed desires of each community, Comprehensive Plans shall jointly and individually support the County and region’s economic prosperity in order to promote employment and economic opportunity for all citizens.*

Response. The proposed comprehensive plan amendment seeks a slight increase in the allowable residential density within a relatively small area. This land is not currently or was not historically used for the harvesting of natural resources or the production of agricultural products. Development of the site does not impact the protection of public health or the use of natural resources. Additional housing constructed on-site will provide jobs within the housing industry and in the long term will provide additional population that will increase the demand for commercial services within the Horn Rapids community and so will provide some employment and economic opportunities in a fashion that is consistent with this policy.

Policy 19: *The County and Cities have historically partnered with each other as well as with other organizations to achieve economic development throughout the region. It is the intention of the County and Cities to continue to actively pursue mutually beneficial partnerships that promote growth in all sectors of business and industry, including but not limited to areas of agriculture, agri-business, industrial, commercial, public schools, recreation and tourism. Key strategies will include promoting family wage jobs, increasing business formation, expansion and retention and creating jobs and financial investment to improve the economics of our communities.* (Note: specific economic development policies a-g are not reprinted here.)

Response: The proposed comprehensive plan amendment relates only to residential development and as such would not impact this policy's promotion of economic growth.

Policy 20: *Capital Improvement Plans and Land Use Plans, shall conduct fiscal analyses which identify and refine the most cost effective use of regional and local public services.* (Note: specific policies (a-c) to accomplish this goal have not been reprinted here.)

Response: The proposed comprehensive plan amendment would not impact public services and infrastructure. The existing plan anticipates providing infrastructure and public services necessary to support single family residential development. The proposed plan amendment would result in only very minor increases to density that would not require the upsizing of utility lines or capacities. No amendments to existing capital facilities plans would be required by this proposed plan amendment.

Policy 21: *Support the development of public schools in areas where utilities are present or can be extended, is financially supportable at urban densities, where the extension of public infrastructure will protect health and safety and the school locations are consistent with the analysis recommended by WAC 365-196-425(3)(b).*

Response: The proposed comprehensive plan amendment site is located within the Horn Rapids community. The Horn Rapids Master Plan anticipates single family residential development on the site and also projects the need for a future school along the northern boundary of the Horn Rapids community. The existing plan adequately addresses the need for public schools and so the proposed plan amendment is consistent with this policy.

Policy 22: *The Growth Management Act requires counties planning under the Act to adopt a countywide planning policy in cooperation with the cities located in the county. The countywide planning policy is to be a written policy statement or statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to this (GMA) chapter.*

The purpose for the Benton County Wide Planning Policies is to meet this requirement of the Act. This document is a tool that will provide the necessary guidance to achieve consistency during the updating of comprehensive plans for the county and the cities.

Response: The proposed comprehensive plan amendment would not directly impact the County Wide Planning Policies and generally supports and furthers the intent of many individual policies contained within this planning document.

Attachment C
Northstone Richland LLC, Application for Comprehensive Plan Amendment
Consistency with Richland Comprehensive Land Use Plan

The goals and policies of the City's land use plan are reprinted below followed by a brief response describing how the application is consistent with the goals and policies.

LU Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 1: Revitalize areas that are already within the City, especially areas within the Central Business District, such as the Parkway and Uptown, and the Island View areas.

Policy 2: Facilitate planned growth and infill developments within the City.

Response: The proposed comprehensive plan amendment consists solely of a slight increase in the density of development within an area designated for single family residential use. No change in land use is proposed and the proposal would be entirely consistent with the Horn Rapids Master Plan and with the overall intent of the City's Land Use Plan. The plan amendment would help to facilitate the planned growth of the Horn Rapids community.

LU Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1: Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.

Policy 2: Ensure that adequate public services are provided in a reasonable time frame for new developments.

Policy 3: Ensure that the intent of the land use and districts are maintained.

Response: The site is located in an area that has been planned for single family residential land uses for many years through the adoption and implementation of the Horn Rapids Master Plan. As such, street networks, utility systems and public services have been planned for and extended to serve this area for many years. The proposed plan amendment would result in only a minor increase in allowable density and would not result in a need to modify these street and utility plans. Therefore, the proposed amendment is consistent with this land use goal.

LU Goal 3: Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 1: Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.

Policy 2: Encourage higher residential densities especially in and near the Central Business District area.

Policy 3: Innovative and non-traditional residential developments can occur through the use of planned unit developments, density bonuses, new types of housing, and multi-use or mixed-use developments.

Response: *The proposed comprehensive plan amendment would provide for single family residential development that is consistent with the Horn Rapids Golf Course Community. The requested plan amendment would provide for slightly smaller lots and reduced setbacks that have been utilized throughout much of the development of the Horn Rapids area. The amendment would be consistent with the overall intent of the land use plan that calls for single family residential development for this site and so is consistent with the intent of the Land Use goal.*

LU Goal 4: Promote commercial and industrial growth that supports the City's economic development goals.

Policy 1: Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services.

Policy 2: Promote developments such as business and research parks, office parks, technology centers, manufacturing and processing facilities, and other types for high- tech uses.

Policy 3: Locate neighborhood-oriented commercial land uses in Neighborhood Retail Business areas.

Policy 4: Encourage the use of buffers or transition zones between non- compatible land uses.

Policy 5: In areas where residential uses are in close proximity to industrial or commercial lands, adequate development standards should be used in industrial or commercial developments to mitigate the impacts on residential uses.

Policy 6: Support industrial developments on lands previously owned by the Department of Energy and transferred to the City and the Port of Benton.

Response: *Since the proposed comprehensive plan amendment only involves residential lands, it does not have a direct impact on this goal relating to commercial/industrial lands. However, by providing additional housing within the Horn Rapids community, the development of the site would increase the demands for future neighborhood commercial services within the Horn Rapids community and so is consistent with the intent of the this Land Use Goal.*

LU Goal 5: Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1: Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

Policy 2: Promote pedestrian and bicycle circulation throughout the community by connecting with the infrastructure and the City's network of parks and trail system.

Response: *The proposed comprehensive plan amendment site is located within the Horn Rapids Master Planning area and would be consistent with that plan. Residential development of this site will help to implement the plan that includes elements calling for the development of neighborhood commercial services within the area. The Horn Rapids Golf Course Community maintains an existing system of pedestrian trails and as well as a golf course and a bicycle trail that extends from the community along State Route 240 all the way to Stevens Drive. As such, the existing plan provides for and promotes the physical, social and overall well-being of its residents. The proposed amendment would continue to implement that plan and so is consistent with this Land Use goal.*

LU Goal 6: Develop an attractive and vibrant Central Business District that displays the unique character of Richland.

Policy 1: Revitalize declining commercial areas by promoting clean, safe, and pedestrian- and bicycle-friendly environments.

Policy 2: Designate land use and zoning for higher-density residential uses, mixed-use, and business uses within and adjacent to the Central Business District.

Policy 3: Encourage infill development and redevelopment in the Central Business District. Public Facilities

Response: *The site is not located near the Central Business District, so this goal would not directly apply to this proposal.*

LU Goal 7: Encourage efficient use and location of public facilities such as transit centers, utility facilities, schools, parks, and other public uses.

Policy 1: Locate municipal facilities within their service areas and ensure the grouping of facilities within neighborhoods, whenever feasible.

Policy 2: Ensure that the scale, and location of public facilities are compatible with or buffered from existing and planned surrounding areas.

Policy 3: Wherever possible, the City will locate park and school facilities together for efficient use of public facilities.

Policy 4: Encourage the development of private and public regional sports and recreational facilities of a size and quality to attract significant numbers of users and spectators.

Response: *The proposed plan amendment site is part of the Horn Rapids Master Planning area, which contains provisions for a future public school and a well-integrated system of public trails, walking paths, open space areas and a golf course, as well as utility systems that have been designed to serve the entire development of the planning area with residential development. The proposed plan amendment would be consistent with the Master Plan for this area and so is consistent with this Land Use goal.*

LU Goal 8: Address unique land use situations in the urban area with policies specific to those situations that ensure compatibility between land uses without infringing on private property rights.

Policy 1: Ensure that lands designated Urban Reserve remain in this holding category to serve future demand for land.

Policy 2: Apply the Agricultural designation in the Yakima River floodplain.

Policy 3: At designated Waterfront land use locations, encourage an active mix of commercial, residential, and marine uses as allowed in the SMP.

Policy 4: Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

Policy 5: Define and identify mineral resource lands located within its boundaries that are not already compromised by on-site, immediate, or adjacent urban growth and that have long-term significance for the extraction of minerals on a commercially-viable basis.

Policy 6: Property and/or mineral rights owners should work with the City and appropriate agencies for protection of these sites. Designate mineral resource lands located in the City of Richland that meet the Criteria for Classification of Mineral Resources (WAC 365-190-070).

Policy 7: Ensure that land uses surrounding the Richland Airport are compatible with existing and future airport operations and do not restrict the airport's ability to maintain or expand its existing and future aviation demands. Coordinate with the Port of Benton to restrict land uses in airport areas that would create conflict or negatively impact the safe and effective airport operations.

Response: *The unique circumstances addressed in these land use policies do not apply to this application, as the site is not used for agricultural production; is not near the waterfront; is without any known historical or archeological significance; is not a mineral resource area; or in close proximity to the Richland Airport.*

LU Goal 9: Within Island View, the City will implement a Single Family Overlay land use designation for clusters of property that are currently used as single family residences which have high probability of being redeveloped with non-residential land uses.

Policy 1: The city will use the Single Family Overlay concept only in those instances where the majority of property owners have expressed a preference for its use.

Policy 2: Areas designated as Single Family Overlay will be zoned for single- family residential uses, as identified in the city's R-2 Medium Density Residential zoning district.

Policy 3: Areas designated as Single Family Overlay will remain as such until property owner(s) bring forward a request to remove the overlay and change the zoning to the designation contained in the Island View Subarea Plan. In such cases, an amendment to the comprehensive plan is not necessary.

Policy 4: Applicants bringing forward a request to change the zoning of property designated Single Family Overlay should demonstrate that the land proposed for amendment is: a) large enough

to support redevelopment for non-single family residential land uses; and b) will have sufficient access to City streets and utility systems to support redevelopment.

Policy 5: Whenever properties designated with the Single Family Overlay are rezoned for non-single family residential uses in accordance with Policy 4 above, the Single Family Overlay designation should be removed from the subject property.

Response: *The site is not located within the Island View area, so these land use policies do not apply.*

LU Goal 10: Follow controlling law and constitutional requirements, both state and federal, to ensure the appropriate protection of private property rights.

Policy 1: Monitor evolving state and federal statutory amendments and judicial precedent so that timely amendments or changes can be made in the process of implementing the comprehensive plan policies and development regulations.

Policy 2: Process comprehensive plan amendments and development regulations using a fair and open hearing process, with adequate public notice and opportunities to participate to ensure the protection of all due process rights.

Policy 3: Process timely, fair, and predictable processing and review of land use permit applications in conformance with applicable federal and state legal and regulatory requirements.

Response: *The application has been prepared and filed in compliance with City regulations that are in place to facilitate a fair and open hearing process and provide the public with adequate notice.*

Natural Environment NE Goal 1: Promote the protection, conservation, and restoration of natural areas, shorelines, and critical areas as unique assets to the community, and provide public access for enjoyment of such facilities based on the ability of the resource to support the use.

Policy 1: Use the critical areas ordinance, SMP, the state environmental policy act (SEPA), and other ordinances, as applicable, to designate and protect the critical areas and natural environment.

Policy 2: Consider the goals and policies of the SMP as part of this Comprehensive Plan. Encourage development of water-oriented recreational, cultural, and commercial facilities in certain Columbia River locations, consistent with the SMP and its criteria of no net loss of ecological functions, to enhance and diversify Richland's community recreational resources and its attractiveness to tourists.

Policy 3: Ensure public access to shorelines on public land, subject to regulations protecting public safety, sensitive habitat areas, and wildlife.

Policy 4: Encourage the public and/or private acquisition of the prominent ridges in the south Richland area to preserve views, protect shrub- steppe habitat, and to provide public access. Consider the preservation of the ridges and hillside areas through various standards.

Policy 5: Develop an integrated pedestrian trail system to provide access through the City's important natural features, such as prominent ridges and rivershore areas and provide necessary trail linkages between these natural features.

Response: *Shoreline policies do not apply to the site based on its location which is well removed from any rivershore area. The existing abandoned irrigation canal that borders the site has been designated as a future trail corridor in the Horn Rapids Master Plan. Development of the site would provide for the construction of a trail in this area and so would be consistent with the intent of this Natural Environment goal. .*

Historic and Cultural Resources HP Goal 1: Preserve significant historic structures, districts, and cultural resources that are unique to Richland.

Policy 1: Encourage preservation and promotion of adaptive reuse of historic "Alphabet Homes" of Richland.

Policy 2: Coordinate with local tribes, federal, state and local agencies to protect historic and cultural resources.

Response: *There are no structures on site and no known historic or cultural resources are present.*

UD Goal 1: Create a physically attractive and culturally vibrant, pedestrian- and bicycle-friendly environment in the City.

Policy 1: Establish and enhance the positive attributes of residential, commercial, central business, and other districts with appropriate transition between them.

Policy 2: Encourage redevelopment and upgrade of suitable commercial areas.

Policy 3: Improve streetscape and connectivity for safe and pedestrian-friendly environments.

Policy 4: Promote public arts, museums, and interpretive centers in coordination with public plazas and community spaces that reflect the unique history and culture of Richland.

Response: *The Horn Rapids Golf Course Community has been developed with an extensive system of pedestrian trails and walkways. Recently, a bike path has been extended from the Horn Rapids community to Stevens Drive, adjacent to State Route 240. These factors have helped to create a residential community that is both pedestrian and bicycle friendly. The continued residential development of the site as proposed under the comprehensive plan amendment would extend these walkway and trail systems and so would be consistent with the intent of this Urban Design goal.*

UD Goal 2: Revitalize commercial areas, such as areas in the Central Business District including the Uptown retail area and the Island View area.

Policy 1: Enhance the appearance, image, and design character of the Central Business District.

Policy 2: Ensure adequate public transit, bicycle, and pedestrian access in the commercial centers along with parking and landscaping.

Policy 3: Enhance the welcoming experience into the community through well- designed gateway features in prominent locations.

Policy 4: Design the public realm, including streetscapes, parks, plazas, and civic amenities for the community to gather and interact.

Policy 5: Provide continuity among adjacent uses by using cohesive landscaping, decorative paving, street furniture, public art, and integrated infrastructure elements.

Response: *The site is located in an area that is separated from planned and/or existing commercial areas and so this Urban Design goal is not directly applicable to this proposed plan amendment.*

UD Goal 3: Development through appropriate design, should protect natural features such as rivers, shorelines, ridgelines, steep slopes, and archaeological and historical resources.

Policy 1: Development should be sensitive to existing topography and landscape, and should minimize environmental impacts.

Policy 2: Hillside development should, as much as practical, blend with the natural shape and texture of the land.

Policy 3: Lighting should be designed so as to promote public safety as well as promote "Dark Sky" principals.

Response: *The site of the proposed plan amendment does not contain shorelines, steep slopes or ridgelines and there are no known archeological or historical resources on site. Therefore, this Urban Design goal is not directly applicable to this proposed plan amendment.*

UD Goal 4: Promote community beautification by enhancing public spaces and thoroughfares and encouraging private property beautification.

Policy 1: Improve the appearance of all city- owned space and major thoroughfares.

Policy 2: Promote programs to improve landscaping. Encourage xeriscaping and use of native plants.

Policy 3: Promote more attractive signage throughout the City, especially in commercial districts.

Response: *Beautification of the site will consist of residential landscaping consistent with existing Horn Rapids residential neighborhoods.*

Attachment D
Northstone Richland LLC, Application for Comprehensive Plan Amendment
Supplemental Sheet for Non-project Actions

C. Supplemental sheet for non-project actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Residential development under a Medium Density Residential land use designation instead of a Low Density Residential land use designation is not likely to increase discharges to water or involve storage or release of toxic substances. Emissions to air would likely be limited to creation of dust during construction and noise created would be typical of noises associated with residential development that is already present in the vicinity of the site.

Proposed measures to avoid or reduce such increases are:

Development of the property would be subject to clean air rules administered by the Benton Clean Air Authority and noise standards administered by the City of Richland.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Development of the property would likely result in the removal of most if not all of the existing vegetation and habitat on site and does not represent a change from the impacts of the site being developed under a Low Density Residential land use designation.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The existing land use designation allows for low density residential development on site, a land use that would also result in the removal of vegetation and habitat. An increase in the allowable density on site would not increase impacts to plants and animals.

3. How would the proposal be likely to deplete energy or natural resources?

Any development of the site would result in the use of energy and natural resources.

Proposed measures to protect or conserve energy and natural resources are:

Future development of the property follow the requirements of the Washington State Energy Conservation Standards.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

There are no known environmentally sensitive areas on site or any natural conservation areas, parks or other government properties located in the immediate vicinity of the site. There are also no known threatened or endangered species, archeological or historic resources, wetlands, floodplains or farmland on site. There is an abandoned and vacated irrigation canal that is located adjacent to the site.

Proposed measures to protect such resources or to avoid or reduce impacts are:
None are necessary.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal would have no impact on shorelines. It would result in slightly higher density residential development permitted on the site in an area where nearby properties have already been developed with similar densities.

Proposed measures to avoid or reduce shoreline and land use impacts are:
The Richland zoning code contains some mitigation measures requiring setbacks, building height limitations, shielding of outdoor lighting and landscaping that would help to reduce impacts on adjacent properties. Specific mitigation measures would be identified when a specific plan for development is brought forward.

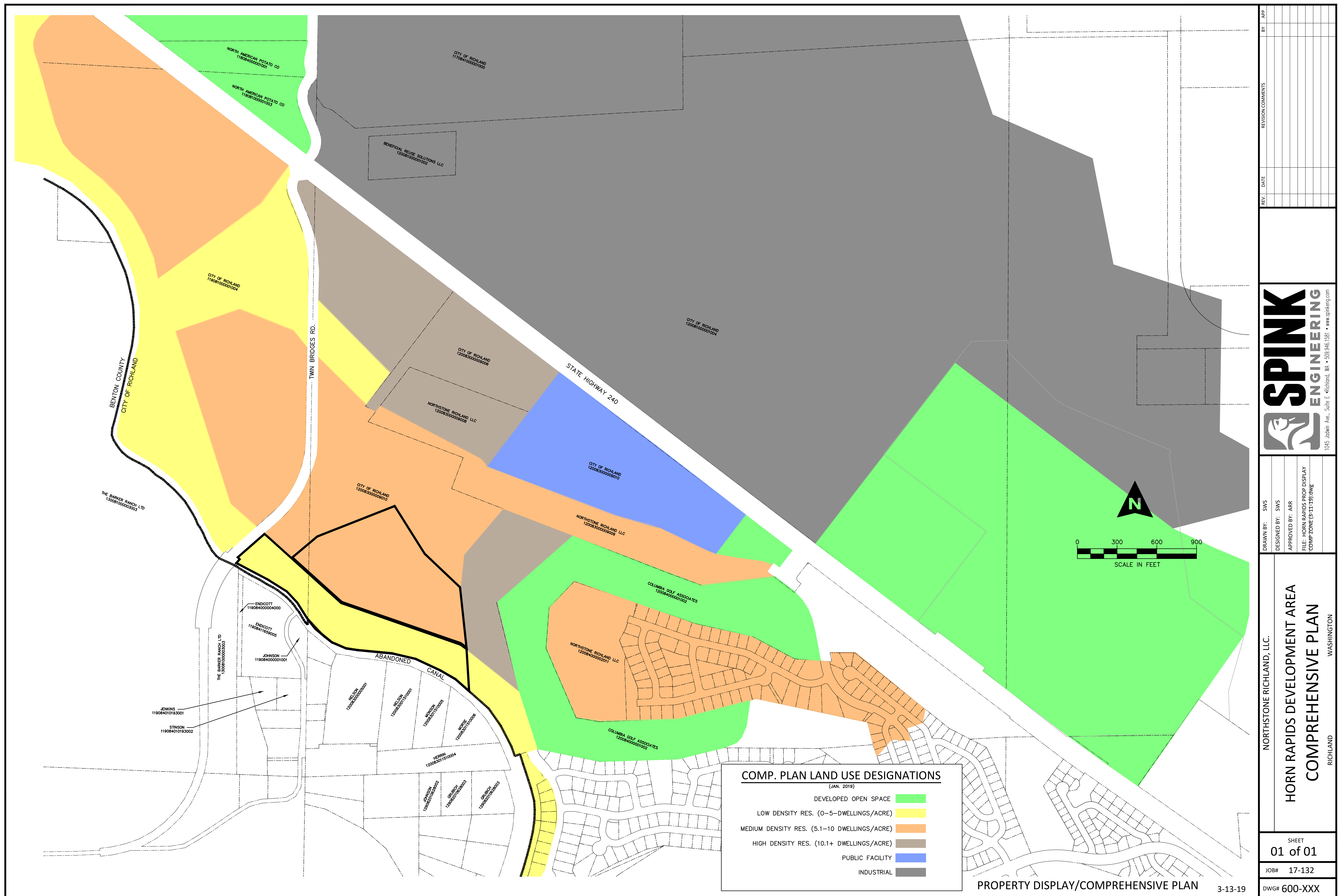
6. How would the proposal be likely to increase demands on transportation or public services and utilities?

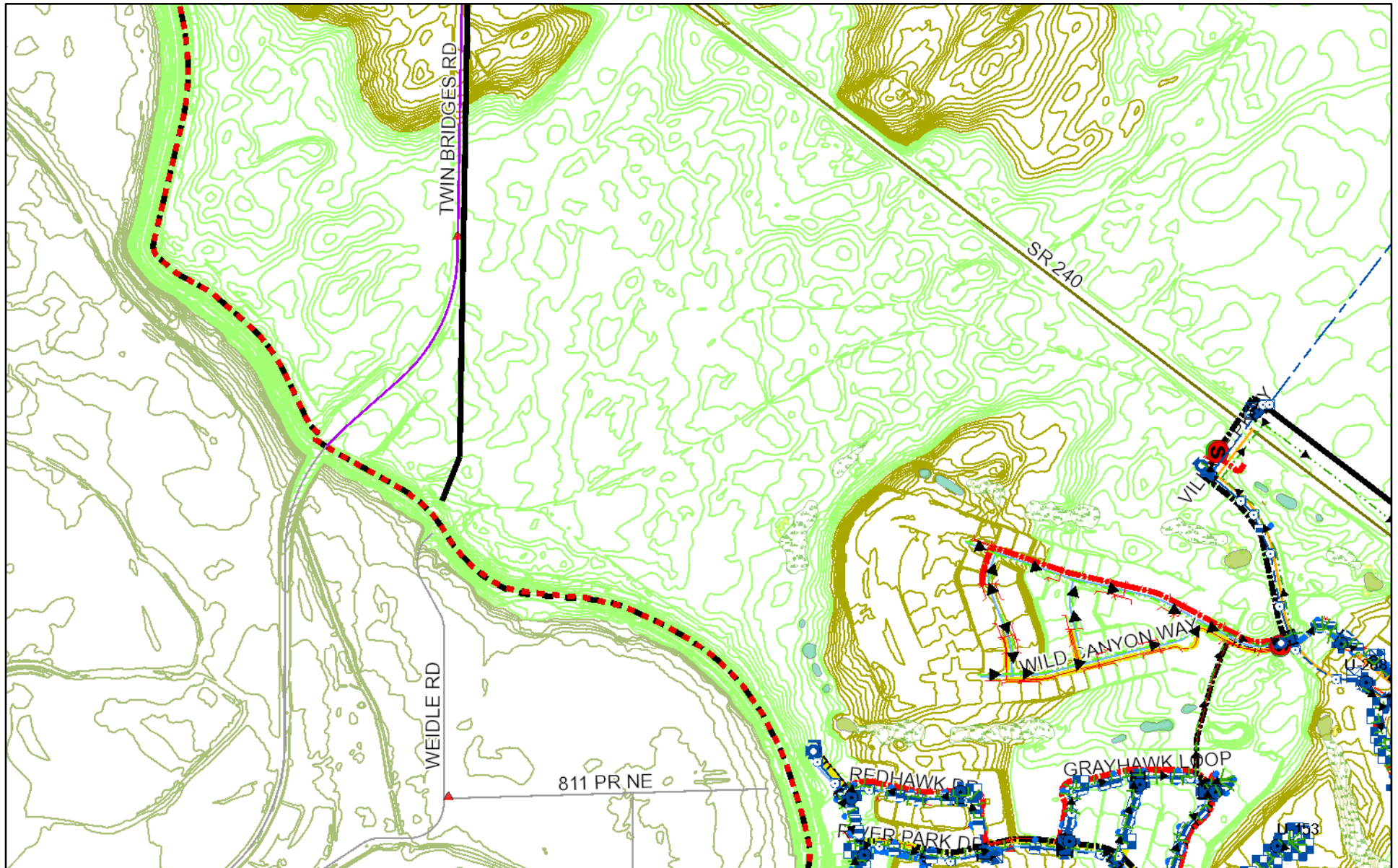
Higher density residential development could slightly increase traffic on public streets and demands for public services and utility use.

Proposed measures to reduce or respond to such demand(s) are:
Development of the property would require the extension of streets and utility systems as generally outlined in the Horn Rapids Master Plan. Likewise, pedestrian trails and open spaces would be required to be set aside in accordance with the Master Plan. Specific requirements would be established at the time that a specific application is brought forward.

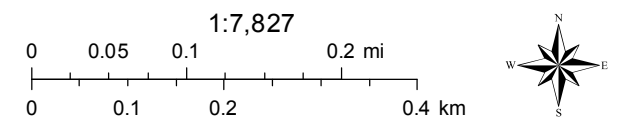
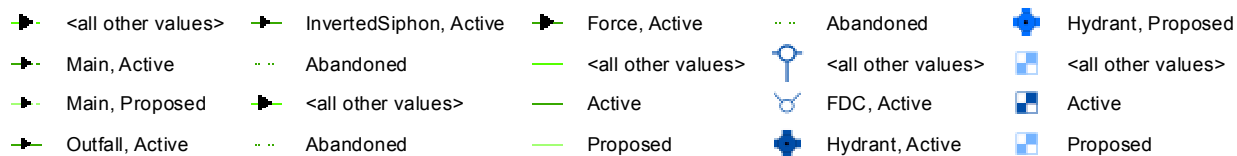
7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None known.





March 5, 2019



The City of Richland does not guarantee the accuracy, adequacy, completeness, or usefulness of any information. The City of Richland does not warrant the completeness, timeliness, or positional, thematic, and attribute accuracy of the GIS Data. The appropriate City department should always be contacted for official and current information.



Comprehensive Plan Amendment Application

☒ Comprehensive Plan Land Use Map ☐ Text of Comprehensive Plan

Note: A Pre-Application meeting is advised prior to submittal of an application

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Bush Living Trust

Address: 955 Aaron Drive Richland WA 99352

Phone: 509-947-9702

Email: NA

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: Wave Design Group LLC

UBI# 603-374-614

Contact: Dalton Walker

Address: 418 N Kellogg St. STE. B Kennewick WA 99336

Phone: 509-737-1000

Email: dalton@wavedesigngroupllc.com

PROPERTY INFORMATION

Legal Description: 251 WELLHOUSE LOOP

Parcel # 115981020400054

Current Zoning: PPF

Current Land Use Designation: DOS

GENERAL REQUIREMENTS FOR ALL APPLICATIONS – Provide written statements explaining the following

1. The purpose of the proposed amendment;
2. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (The goals the Act are listed in 36.70A.020);
3. How the amendment is consistent with the adopted countywide planning policies;
4. How the amendment furthers the purpose of the city's comprehensive plan;
5. How the amendment is internally consistent with the city's comprehensive plan, as well as other adopted city plans and codes;
6. If applicable, how the project will meet concurrency requirements for transportation;
7. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
8. **Comprehensive Plan TEXT AMENDMENT applications must also include;**
 - a. The proposed element, chapter, section and page number of the comp plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
9. **Comprehensive Plan MAP AMENDMENT applications must also include;**
 - a. The current land use map designation for the subject parcel(s).
 - b. The land use map designation requested.
 - c. A complete legal description describing the combined area of the subject parcel(s)
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All road abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
 - iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable
 - v. The location of existing utilities serving the subject parcels including electrical, water and sewer;
 - vi. The location and uses of existing structures located on the subject parcel(s);

- e. ~~A traffic impact analysis (TIA) assessing the potential impacts of the proposed amendment.~~ *N/A NOS*
- f. Topographical map of the subject parcels and abutting properties at a scale of a minimum of one inch represents 200 feet (1:200);
- g. The current official zoning map designation for the subject parcel(s);
- h. A detailed plan which indicates any proposed improve
- i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- i. A corresponding zoning map amendment application, where necessary to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- j. A description of any associated development proposals. Development proposals shall not be processed concurrent with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the city's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the city will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The city shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Dalton Walker

Applicant Signature:  Date 02/28/2019

1. The purpose of the proposed amendment;

The purpose for this amendment is to ask for a rezoning for a lot that is zoned PPF. We would like to rezone the lot to R-3.

2. Describe how the amendment is consistent with Washington State Growth Management Act- RCW 36.70A (The goals the Act are listed in 36.70A.020);

The amendment is consistent with the Washington State growth management act 36,70A.020 because the parcel to be rezoned will encourage economic growth. The rezoning will provide the opportunities for all citizens which will impact economic development, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's public facilities.

3. How the amendment is consistent with the adopted countywide planning policies;

Rezoning to R-3 is consistent with county wide policies creating urban growth. This will encourage development in urban areas where adequate public facilities exist or can be provided in a cost-efficient manner. Ensures that those public facilities and services necessary to support development shall be adequate to serve development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

4. How the amendment furthers the purpose of the city's comprehensive plan;

City of Richland comprehensive plan community goal is to ensure and enhance the continuing sense of a livable and sustainable community in Richland. The second goal is to create a vibrant, progressive, physically, socially, economically, and culturally diverse community providing choices of jobs, housing, and recreational opportunities to its residents of all ages which is stated in the compressive plan under General Community Goals. Rezoning the PPE to R-3 contributes to the community goals and visions.

5. How the amendment is internally consistent with the city's comprehensive plan, as well as other adopted city plans and codes;

The rezoning plan will comply with the city's codes listed in Chapter 23.28 Business zoning district. The new rezoning will also give a buffer to the residents from C-3 parcel located on the east side of Wellhouse loop. The current PPE zone is bare creating no sound barrier.

6. If applicable, how the project will meet concurrency requirements for transportation;

The plan will include sidewalks, improved shoulders, and appropriate signage which will be pedestrian-friendly

7. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;

The rezoned lot is located on the critical area map as Aquifer Recharge Area. Richland municipal code 22.10.350 Uses prohibited in critical aquifer recharge area prohibited activities are listed below. The rezoning to R-3 activities is not a prohibited activity on the current land use.

A. Landfills. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste landfills;

B. Underground Injection Wells. Class I, III, and IV wells and subclasses 5F01, 5D03, 5F04, 5W09, 5W10, 5W11, 5W31, 5X13, 5X14, 5X15, 5W20, 5X28, and 5N24 of Class V wells;

C. Mining in critical aquifer recharge areas determined to be highly susceptible in the city's wellhead protection plan.

1. Metals and hard rock mining;

2. Sand and gravel mining;

D. Wood Treatment Facilities. Wood treatment facilities that allow any portion of the treatment process to occur over permeable surfaces (both natural and manmade);

E. Storage, Processing, or Disposal of Radioactive Substances. Facilities that store, process, or dispose of radioactive substances. [Ord. 40-17 § 1; Ord. 40-17A § 1].

8. Comprehensive Plan TEXT AMENDMENT applications must also include;

a. The proposed element, chapter, section and page number of the comp plan to be amended; **NA**

b. The proposed text change, with new text underlined and deleted text crossed out; **NA**

9. Comprehensive Plan MAP AMENDMENT applications must also include;

a. The current land use map designation for the subject parcel(s).

The current land use for the parcel is DOS – Developed Open Space.

b. The land use map designation requested.

The amendment is asking for the land use to change to HDR – High Density Residential.

- c. A complete legal description describing the combined area of the subject parcel(s)

Included see attachment.

- d. A vicinity map showing

Included see attachment

- i. All land use designations within 300 feet of the subject parcel(s);
- ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
- iii. All road abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
- iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable
- v. The location of existing utilities serving the subject parcels including electrical, water and sewer;
- vi. The location and uses of existing structures located on the subject parcel(s);

None.

- e. A traffic impact analysis (TIA) assessing the potential impacts of the proposed amendment.

Wellhouse street is tucked back and though the rezoning will increase traffic, no though forces will be largely impacted. The rezoning plan will include complete streets practices listed in chapter 12.02 Street Function Classification Plan.

Topographical map of the subject parcel and abutting properties at a scale of a minimum of one inch represents 200 feet (1:200);

Included see attachment

- g. The current official zoning map designation for the subject parcel(s);

The current zone for the parcel is PPE.

- h. A detailed plan which indicates any proposed improve

See included site plan for proposed improvements.

- i. Paved streets;
- ii. Public water supply;
- iii. Public sanitary sewers;
- iv. Circulation and traffic patterns for the development and the surrounding neighborhoods;

i. A corresponding zoning map amendment application, where necessary to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;

Included see attached rezoning application.

j. A description of any associated development proposals. Development proposals shall not be processed concurrent with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the city's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the city will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The city shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

The proposed rezoning design plan has taken the surrounding zones into consideration. The owner of the parcel is asking to rezone PPF to R-3. The zone has the ability for multiple housing units, mixed – use, and assisted living facilities.

The R-3 zone will give the community opportunities for new housing. The intended purpose for the parcel to be rezoned to R-3 is to build new condominium with 3 or more units, which expands the range of options for higher density development. This is a goal listed in the comprehensive plan under economic development.

The current lots are bare and are not helping the community the new rezoning will give the community new character in buildings, landscaping and streetscape design. The design plan will help with the vision that the City of Richland has documented in the comprehensive plan under Community Vision. Listed below are the City of Richland municipal zoning and development codes for rezoning parcel request:

23.18.020 Residential performance standards and special requirements.

B. Multiple-Family Residential Use District Special Requirements. In any multifamily residential (R-3) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all multifamily residential structures:

1. Buildings shall maintain at least a 35-foot setback from any property that is zoned for single-family residential use. Single-family residential zones include R-1-12 – single-family residential, R-1-10 – single-family residential, R-2 – medium-density residential, R-2S – medium-density residential small lot or any residential planned unit development that is comprised of single-family detached dwellings.

2. Buildings that are within 50 feet of any property that is zoned for single-family residential use (as defined in subsection (B)(1) of this section) shall not exceed 30 feet in height. Beyond the area 50

feet from any property that is zoned for single-family residential use, building height may be increased at the rate of one foot in building height for each additional one foot of setback from property that is zoned for single-family residential use to the maximum building height allowed in the multifamily zoning district.

3. A six-foot-high fence that provides a visual screen shall be constructed adjacent to any property line that adjoins property that is zoned for single-family residential use. Additionally, a 10-foot landscape strip shall be provided adjacent to the fence. This landscape strip may be used to satisfy the landscaping requirements established for the landscaping of parking facilities as identified in RMC 23.54.140.

4. Recreational vehicle parks are permitted in the multifamily residential district (R-3) subject to the issuance of a special use permit meeting the requirements of RMC 23.42.220 and 23.42.240. Further, applicants must demonstrate that their proposed recreational vehicle parks are immediately adjacent to a state highway and that appropriate provisions are put in place to protect a adjacent land uses. [Ord. 28-05 § 1.02].

23.22.010 Purpose of commercial use districts.

C. The retail business use district (C-2) is a business zone classification providing for a wide range of retail business uses and services compatible to the core of the city and providing a focal point for the commerce of the city. All activities shall be conducted within an enclosed building except that off-street loading, parking, and servicing of automobiles may be in the open and except that outdoor storage may be permitted when conducted in conjunction with the principal operation which is in an enclosed adjoining building. This zoning classification is intended to be applied to some portions of the city that are designated commercial under the city of Richland comprehensive plan.



Zoning Map/Text Amendment Application

Note: A Pre-Application meeting is advised prior to submittal of an application

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Bush Living Trust

Address: 955 Aaron Drive Richland WA 99352

Phone: 509-947-9702

Email:

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company: Wave Design Group LLC

UBI# 603-374-614

Contact: Dalton Walker

Address: 418 N Kellogg St. STE. B Kennewick WA 99336

Phone: 509-737-1000

Email: dalton@wavedesigngroupllc.com

DESCRIPTION OF WORK

We would like to rezone Lot 2 to R-3

PROPERTY INFORMATION

Parcel #: 115981020400054

Legal Description: 251 Wellhouse Loop Richland WA 99352

Current Zoning: PPE

Current Comp Plan:

Requested Zoning: R-3

Current Use: Sites are bare

Proposed Use: R-3

Area of Property: Richland

APPLICATION MUST INCLUDE:

Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved

Other information as determined by the Administrator

ANSWER QUESTIONS AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:

The developer has many successful commercial properties in Tri-Cities.

Any hardship that may result in the event the rezone is not granted:

Land was purchase for R-3 investment and will be unable to be utilized as current zoning if the rezoning is not granted.

The manner in which the proposed rezone conforms to patterns in adjacent zones:

The design will take into account the surrounding zoning.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:
The proposed commercial rezoning will provide new housing for high density residents.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:
Rezoning required for plan as written.

The benefits of detriments accruing to the city which would result from the granting or denial of this special permit:
If the city denies the rezoning of the lot the owner will not have the opportunity for development. The lots will stay bare and not new housing for the community.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:
The land will stay vacant as is or be developed into useful residential property.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:
The lot that is being proposed for rezoning will help buffer the noise from the C-3 zone across from the R-1-12 zone.

Identify impacts on the environment and public safety:
There will be no impacts .

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

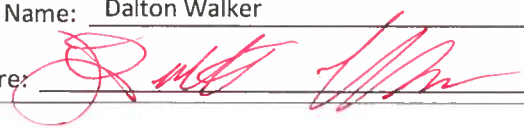
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Dalton Walker

Applicant Signature: 

Date

2-28-19

Heather,

Below are two clips from our utility land base that show the property you are asking about.

There is a 10" sewer main that runs through this property, shown with the green dashed line. There is an access road that runs alongside and/or over the sewer main to allow City crews access to the manholes.

There also appears to be 3 separate storm ponds on the property; one at the north end that takes stormwater from both Duportail and Wellhouse Loop; one off the intersection of Arbor and Thayer and one off of Lawless and Wellhouse. All three of these ponds take drainage from City streets.

The property is currently owned by City of Richland Parks Department, I think. Any development on it would have to account for the sewer main and the storm ponds.

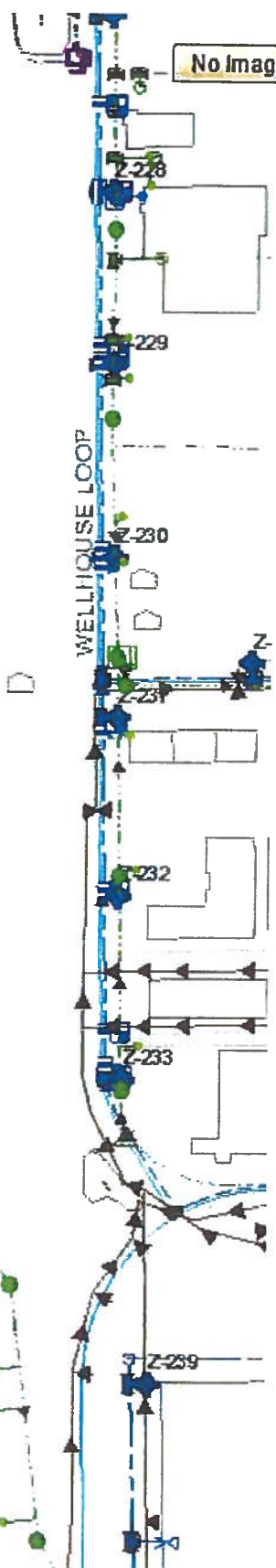
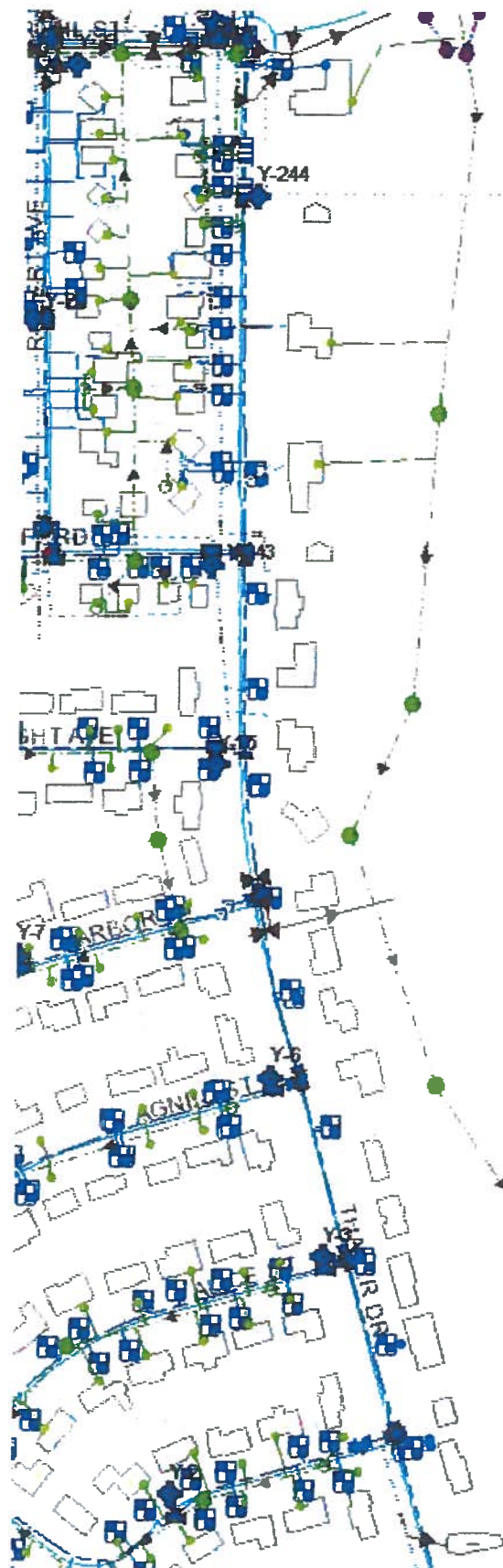
Hope this helps.

Judy Garcia

City of Richland Public Works Dept.

Private Development

942-7790





SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2014

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND

1. Name of proposed project, if applicable: Multi family housing units
2. Name of applicant: Tim Bush / Dalton Walker Wave Design Group on behalf of Tim Bush
3. Applicant contact information:
Address: 955 Aaron Drive, Richland WA 99352

Phone #: (509) 737-1000
email address: Dalton@wavedesigngroupplc.com
4. Date checklist prepared: February 27th 2019
5. Agency requesting checklist: City of Richland, WA Development Services
6. Proposed timing or schedule (including phasing, if applicable):
The time frame for this project is awaiting the comprehensive plan amendment approval
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
Yes, the plan for the parcel is to build multi family housing units.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
None.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
None
10. List any government approvals or permits that will be needed for your proposal, if known.
Comprehensive Plan, permit and site plan approval from the City of Richland
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
The lot is 1.81 acres. The proposed use for land is R-3 zoning which allows for the location of multiple-family dwellings, duplexes and attached and detached one-family dwellings. The owners plan is to build housing with 3 or more units
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.
See attached short plat map with current location for lot 2 on parcel 115981020400054. The short plat map also has the legal description.

...location cont'd:

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)? 10 %

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

The total area that will be affected is 1.81 acres.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No the site is currently bare

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

65%

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Retaining walls to provide positive drainage/control storm water

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. **During constructions standard activities dust will be implemented. Once construction has started there will be increased general traffic**

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Water will be used to control dust during construction

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

None

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No work near the water

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so,

describe the type of waste and anticipated volume of discharge.

No

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

None

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals: . . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Storm water to be controlled on site and discharged in to the soil through a series of bio swales and drywells.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Does not impact the surrounding area

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: **Please see C1**

4. Plants

a. Check the types of vegetation found on the site: **None the site is bare**

- ____deciduous tree: alder, maple, aspen, other
- ____evergreen tree: fir, cedar, pine, other
- ____shrubs
- ____grass
- ____pasture
- ____crop or grain
- ____Orchards, vineyards or other permanent crops.
- ____wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ____water plants: water lily, eelgrass, milfoil, other
- ____other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Vegetation will be added to site

c. List threatened and endangered species known to be on or near the site.

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **Perimeter of land use that is being proposed will be landscaped and with the future R-3 development.**

e. List all noxious weeds and invasive species known to be on or near the site.

None known

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: **None**

birds: hawk, heron, eagle, songbirds, other: _____

mammals: deer, bear, elk, beaver, other: _____

fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site.
None

- c. Is the site part of a migration route? If so, explain.

Yes, Richland is within the Pacific Flyway.

No

- d. Proposed measures to preserve or enhance wildlife, if any:

None

- e. List any invasive animal species known to be on or near the site.

None

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The R-3 development that is being proposed will need electric and natural gas.

- b. Would your project affect the potential use of solar energy by adjacent properties?

If so, generally describe.

There is no impact

- c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any:

None

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?

If so, describe.

- 1) Describe any known or possible contamination at the site from present or past uses.

None

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None

- 4) Describe special emergency services that might be required. **No additional services**

- 5) Proposed measures to reduce or control environmental health hazards, if any:

None

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?
Indicate what hours noise would come from the site.

The proposed land use will create additional traffic but will not have a major impact.

- 3) Proposed measures to reduce or control noise impacts, if any:

The proposed land use will help create a noise barrier from the C-3 in the area since the site is bare and the land use behind the lot is zoned R-1-12.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site is currently bare. The area to west is residential R-1-12 and to the northwest is C-3.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? **None**

- i) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: **No**

- b. Describe any structures on the site. **None**

- d. Will any structures be demolished? If so, what? **No**

- e. What is the current zoning classification of the site? **PPF**

- f. What is the current comprehensive plan designation of the site? **DOS**

- g. If applicable, what is the current shoreline master program designation of the site? **NA**

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. **The proposed land use lot is located on the critical area map as Aquifer Recharge Area**

- i. Approximately how many people would reside or work in the completed project?
This will depend of the amount of units that the owner will be building on the proposed land use.

- j. Approximately how many people would the completed project displace? **None**

- k. Proposed measures to avoid or reduce displacement impacts, if any: **None**

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: **Review and compliance with comprehensive plan.**

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: **None**

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. **The proposed land use will have a 10.1 or more dwellings per acre**

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. **Middle income housing this will be based on the surrounding areas**

c. Proposed measures to reduce or control housing impacts, if any: **None**

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? **Stucco, wood and metal**

b. What views in the immediate vicinity would be altered or obstructed? **NA**

c. Proposed measures to reduce or control aesthetic impacts, if any: **NA**

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Landscaping and barriers will mitigate glare from headlights**

b. Could light or glare from the finished project be a safety hazard or interfere with views? **No**

c. What existing off-site sources of light or glare may affect your proposal? **None**

d. Proposed measures to reduce or control light and glare impacts, if any: **Landscaping and barriers**

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?
None

b. Would the proposed project displace any existing recreational uses? If so, describe.
None

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
None

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

None

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No studies . No evidence of previous cultural activities

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Proposal is not on, or near, any area known to be culturally sensitive

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Will not impact resources

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Highway I-82, Aaron Drive and Lee BLVD

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Ben-Franklin Transit. 580 feet from site

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). **Yes The plan will include sidewalks, improved shoulders, and appropriate sign-age which will be pedestrian - friendly**

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The lot is .46 of a mile west to the rail system.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

NA

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. **None**

h. Proposed measures to reduce or control transportation impacts, if any: **None**

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. **None**

b. Proposed measures to reduce or control direct impacts on public services, if any. **None**

16. Utilities

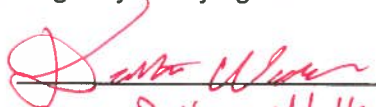
a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Cascade Gas, REA, Charter, sewer, water and garbage from City of Richland.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee: Dalton Walker

Position and Agency/Organization: Wave Design Group

Date Submitted: 2-28-19

Community & Economic Development Department

This application was reviewed by the Planning Division of the Community & Economic Development Department. Any comments or changes made by the Department are entered in the body of the checklist and contain initials of the reviewer.

Reviewer Signature

Date

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
Would not increase discharge

Proposed measures to avoid or reduce such increases are: **None**

2. How would the proposal be likely to affect plants, animals, fish, or marine life? **None**

Proposed measures to protect or conserve plants, animals, fish, or marine life are: **None**

3. How would the proposal be likely to deplete energy or natural resources? **None**

Proposed measures to protect or conserve energy and natural resources are: **None**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
There will be no impact

Proposed measures to protect such resources or to avoid or reduce impacts are: **None**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
There will be no impact

Proposed measures to avoid or reduce shoreline and land use impacts are: **None**

6. How would the proposal be likely to increase demands on transportation or public services and utilities?
There will be an increase in utility use, but no major impact to public transportation.

Proposed measures to reduce or respond to such demand(s) are: **Energy efficient equipment**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.
There is no conflict



8203 W. QUINAULT AVE., SUITE 10 • KENNEWICK, WA 98336

PHONE (509) 783-0660 • TITLE FAX (509) 783-0675 • ESCROW FAX (509) 783-6612

300' VARIANCE REPORT

Order No.: CBF8443

**To: HEATHER BROOKS
WAVE DESIGN GROUP
heatherb@wavedesigngroupllc.com**

The ownership of the real property is based upon an examination of all official records of BENTON County, Washington, and the ownership is based upon the last Deed of record.

The liability of the Company under this certificate shall be limited to the amount of actual loss sustained by the addressee due to reliance on any incorrect information in the certificate up to and not to exceed the fee paid.

Record Examined to: February 27, 2019

LEGAL DESCRIPTION:

LOT 2, SHORT PLAT NO. 3592, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 2018-036918, RECORDS OF BENTON COUNTY, WASHINGTON.

PARCEL NO:

1-1598-102-0400-054 (INCLUDES OTHER PROPERTY)

VESTED IN:

TIMOTHY T. BUSH AND KATHRYN L. BUSH, TRUSTEES OF THE BUSH LIVING TRUST, DATED AUGUST 18, 1999 AND ANY AMENDMENTS THERETO.

Countersigned:

Kelsie Finnes

NOTE: Please see attached Schedule A-1 for owners and addresses within 300 feet of exterior boundaries of property, as requested.

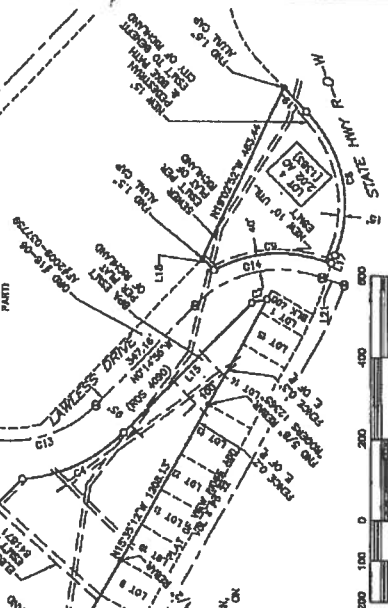
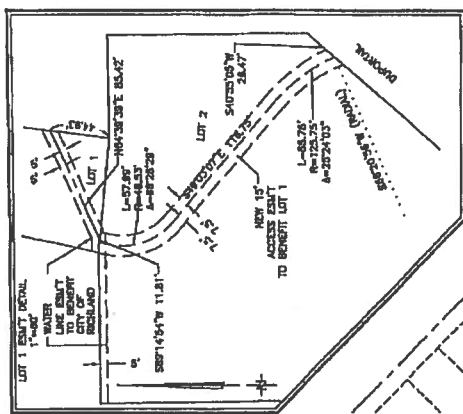
Variance Report

ORDER NO.: CBF8395

1. RICHLAND SCHOOL DISTRICT #400 423 WELLHOUSE LOOP RICHLAND, WA 99352	1-1098-401-2294-001
2. ANTHONY J. FICENEC 505 THAYER DR RICHLAND, WA 99352	1-1598-102-0140-010
3. CLIFTON R. STEELMAN 1400 FRIES ST RICHLAND, WA 99352	1-1598-102-0140-011
4. MARSHA FERN WILSON 1401 FRIES ST RICHLAND, WA 99352	1-1598-102-0145-005
5. ANNA I. LARA 409 THAYER DR RICHLAND, WA 99352	1-1598-102-0145-006
6. RYAN RHOTEN 405 THAYER DR RICHLAND, WA 99352	1-1598-102-0145-007
7. LEON R. SAUERS 403 THAYER DR RICHLAND, WA 99352	1-1598-102-0145-008
8. RICHLAND HTS BAPTIST CHURCH 390 THAYER DR RICHLAND, WA 99352	1-1598-102-0400-007
9. MASONIC TEMPLE CORPORATION OF RICHLAND 412 THAYER DR RICHLAND, WA 99352	1-1598-102-0400-008
10. REDEEMER LUTHERAN CHURCH 520 THAYER DR RICHLAND, WA 99352	1-1598-102-0400-009
11. REDEEMER LUTHERAN CHURCH 700 THAYER DR RICHLAND, WA 99352	1-1598-102-0400-012
12. DAVID W. ROSE 420 WELLHOUSE LOOP RICHLAND, WA 99352	1-1598-102-0400-013
13. DAVID & SONS MINI-STORAGE 410 WELLHOUSE LOOP RICHLAND, WA 99352	1-1598-102-0400-017
14. CITY OF RICHLAND 421 WELLHOUSE LOOP RICHLAND, WA 99352	1-1598-102-0400-048

SHORT PLAT NO. 3592

PREPARED UNDER CITY OF RICHLAND SHORT PLAT ORDINANCE
A PORTION LOT 11, BLOCK 400, PLAT OF RICHLAND, LYING IN
SECTIONS 10 & 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



REV: AGONE	CITY OF RICHLAND	JOB 402118
PROJECT SHORT PLAT		
PORTION LOT 11 BLOCK 400, PLAT OF RICHLAND		
ORNL BY	DWG	SCALE 1" = 200'
APPROVED	DATE	12-8-18
		ADWD VER -2017
		PLAT 402118-09
		OF 3
		SHEET 1

RSI
ROGERS
SURVEYING INC., P.S.
1468 COLUMBIA PARK TRAIL
RICHLAND, VA 22652
FURNACE (540) 782-1141
FAX (508) 785-0804
www.southcoastsurveying.com

DAVID P. BULLMAN
12-17-18
DATE



SURVEYOR'S CERTIFICATION

LINE TABLE		
LINE	DESCRIPTION	LENGTH
L1	INT11111111	78.84
L2	SOFT1123456	80.17
L3	STPR1234567	83.05
L4	STPR1234567	77.01
L5	HEP1234567	44.53
L6	HEP1234567	71.13
L7	SOFT1234567	83.69
L8	HEP1234567	73.30
L9	HEP1234567	47.81
L10	SOFT1234567	84.17
L11	INT11111111	77.00
L12	SOFT1234567	84.74
L13	SOFT1234567	18.30
L14	HEP1123456	87.41
L15	HEP1123456	83.31
L16	SOFT1234567	85.05
L17	HEP1234567	23.26
L18	SOFT1234567	41.21
L19	HEP1234567	76.87
L20	INT11234567	103.81
L21	HEP1234567	24.88
L22	HEP1234567	26.60
L23	HEP1234567	30.85
L24	SOFT1234567	194.58
L25	HEP1234567	81.02

CITY OF RICHLAND NOTES:

- [illegible]

Carnes Yields					
CURVE	LENGTH	BUMBLE	DEEZA	CH. BERN.	CHORO
C1	182.14	468.00	272.57327	182.1204	181.86
C2	243.26	340.00	340.07326	183.57701	241.28
C3	181.28	320.00	227.39387	117.70511878	178.82
C4	278.88	365.00	427.36387	122.07511878	274.14
C5	163.88	1221.12	7.91722	111.7057495	183.78
C6	168.87	1221.12	7.91722	54.7277023	148.83
C7	37.88	335.00	373.58387	102.404472	38.81
C8	274.88	320.00	380.00387	103.964472	284.28
C9	248.88	340.00	492.22387	140.928472	258.72
C10	331.15	500.00	472.22387	140.928472	325.13
C11	238.48	330.00	467.14387	169.5757009	266.02
C12	106.11	200.00	347.38137	151.67412972	106.80
C13	308.75	300.00	468.38137	108.8772278	292.88
C14	338.58	300.00	467.38137	102.928472	330.80

SURVEYOR'S NOTES:

- BASES OF BUILDINGS IS GIVEN, US ENTER PLANE, TWO 03,7011 WASHINGTON SOUTH 22ND
BASED ON CROSS COORDINATES
- (N) = MEASURED (R) = RECORDED (C) = COMPUTED (P) = PLAT
- 0 - REMOTES SET 5/3/54" REBAR WITH YELLOW PLASTIC CAP STAMPED "705-028 41028".
- 0 - REMOTES FOUND 1' CRACKED IRON PIPE OR ANCHORAGE AS NOTED.
- 0 - REMOTES FOUND CITY OF MOBILE AND BRASS CAP IN WORKMAN CASE PER SURVEYS OF
RECORDED (PDS 352, 078, 1008, 4086, & 4973)
- SURVEY METHODS UTILIZED: MULTI FREQUENCY CROSS RECEIVERS USING REAL TIME KINETICS
METHODS.
- EXEMPTIONS SUBMITTED UNDER AUTHOR'S FILE NUMBERS 426757 & 426774 ORIGINATING ON
THE EAST LINE OF LOT 3 OF THE PLAT OF MOBILE VUE ADDITION ARE AMBIGUOUS 426757
AND 426774. THE EAST LINE OF LOT 3 OF THE PLAT OF MOBILE VUE ADDITION, 426757
AND 426774, DESCRIBES A 15' WIDE EASEMENT BEGINNING AT A POINT ON THE EAST LINE OF
SAID LOT 3 THEN RUNNING EXTERIALLY TO AN EXISTING WAREHOUSE WHICH WAS NOT OBSERVED
DURING THE PLAT OF THIS SURVEY, AND DOES NOT PASS BY THE HOUSE EXISTANT
ON THE EAST LINE OF THE PLAT OF MOBILE VUE. THE EXISTENCE OF SAID EASEMENT IS
THEREFORE UNKNOWN.

EDITOR'S CERTIFICATE

ED FOR RECORD AT THE REQUEST OF THE CITY OF RICHLAND AT 11:15 U.
S 11 DAY OF November, 2016 A.D. AND RECORDED IN VOLUME 1 OF
PORT PLATS, AT PAGE 271 RECORDS OF BENTON COUNTY, WASHINGTON.

REFRENCA CHILTON by Robert Hays 1216-DT-0113
 CHILTON COUNTY AUDITOR FEE NUMBER

LEGAL DESCRIPTION (CONTINUED FROM SHEET 2 OF 2)

[illegible][illegible][illegible][illegible][illegible]

AND ALSO EXCEPT THAT PORTION DESIGNATED AS FOLLOWS: BEGINNING AT A POINT 100.00 FEET THENCE SOUTH 89°54'47" WEST A DISTANCE OF 40.00 FEET TO THE TRUE POINT OF BEGINNING, THENCE CONTINUING ALONG SAID CURVE TO A POINT OF CURVE, THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1320.00 FEET, THENCE LEAVING SAID CURVE AND ENDING AT THE TRUE POINT OF BEGINNING.

[illegible]

NORTH PLAT 62338; THENCE SOUTH 67°04'38" WEST A DISTANCE OF 24.9 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWEST ALONG A CURVE HAVING A RADIUS BEARING AND DISTANCE OF SOLUTION THROUGH A CENTRAL ANGLE OF 87°52'37" TO A NON-TANGENT POINT THAT IS LOCATED AT A DISTANCE OF 644.75 FEET LEAVING SAID CURVE ALONG SAID WESTING LINE TO A NON-TANGENT POINT ON A CURVE CONTAINING A DISTANCE OF 100 FEET TO A NON-TANGENT POINT ON THE ARC OF SAID CURVE A DISTANCE OF 100 FEET TO A NON-TANGENT POINT ON A CURVE AND A POINT ON THE ENTIRETY OF SAID CURVE HAVING A RADIUS BEARING AND DISTANCE OF NORTH 28°54' EAST 100 FEET TO A NON-TANGENT POINT ON A CURVE AND A POINT ON THE ENTIRETY

[illegible]

WELLHOUSE LOOP, SUD CURVE HAVING A RADIAL BEARING AND DESIGN OF SAID CURVE A DISTANCE OF 162.09 FEET THROUGH A CENTRAL ANGLE OF 100.00 DEGREES TO THE TRAIL POINT OF BEGINNING.

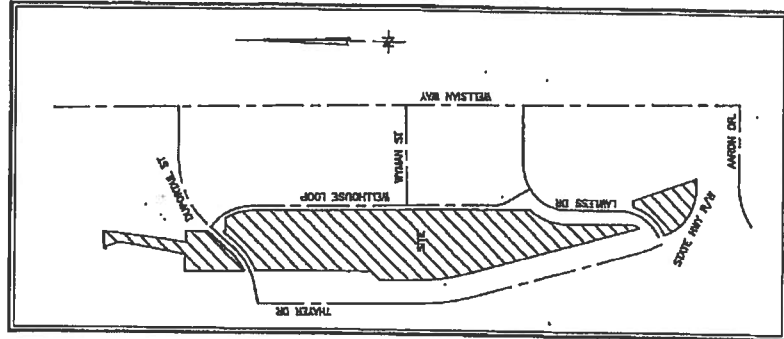


12-17-18
DATE

Item	Quantity	Unit	Price	Total
1. 1000	1000	1000	1000	1000
2. 1000	1000	1000	1000	1000
3. 1000	1000	1000	1000	1000
4. 1000	1000	1000	1000	1000
5. 1000	1000	1000	1000	1000
6. 1000	1000	1000	1000	1000
7. 1000	1000	1000	1000	1000
8. 1000	1000	1000	1000	1000
9. 1000	1000	1000	1000	1000
10. 1000	1000	1000	1000	1000
11. 1000	1000	1000	1000	1000
12. 1000	1000	1000	1000	1000
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47. 1000	1000	1000	1000	1000
48. 1000	1000	1000	1000	1000
49. 1000	1000	1000	1000	1000
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67. 1000	100			

SHORT PLAT NO. 3592

PREPARED UNDER CITY OF RICHLAND SHORT PLAT ORDINANCE
A PORTION LOT 11, BLOCK 400, PLAT OF RICHLAND, LYING IN
SECTIONS 10 & 16, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



VACINITY MAP

AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF THE CITY OF RICHLAND AT 4:15 M.,
THIS 17th DAY OF December, 2018 A.D. AND RECORDED IN VOLUME 1 OF
SHORT PLATS, AT PAGE 1591. RECORDS OF BENTON COUNTY, WASHINGTON.

SPENDIA CHITTON by Pink this 7/18-07/18
BENTON COUNTY AUDITOR (Dealy) FEE NUMBER

3

for	
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40218

OF RICHLAND

2017	2017
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ROGERS
SUNRAYING INC., P.S.
1450 COLUMBIA PARK TRAIL
MARIETTA, GA. 30067
PHONE (608) 785-4141
FAX (608) 785-5994
WWW.ROGERSRAYING.COM

12-17-18



AFTER RECORDING MAIL TO:

Bush Living Trust
520 West Columbia Drive
Kennewick, WA 99336

139970 - \$10.00 - DG - 12/26/2018 - Benton County

FIRST AMERICAN

Filed for Record at Request of:
First American Title Insurance Company

Space above this line for Recorders use only

110

STATUTORY WARRANTY DEED

File No: **4381-3165217 (PS)**

Date: **December 18, 2018**

Grantor(s): **City of Richland, Washington**

Grantee(s): **Bush Living Trust**

Abbreviated Legal: **Lots 2 and 4, Short Plat No. 3592**

Additional Legal on page:

Assessor's Tax Parcel No(s): **115981020400054 (Includes other property)**

THE GRANTOR(S) City of Richland, Washington, a municipal corporation for and in consideration of Ten Dollars and other Good and Valuable Consideration, in hand paid, conveys, and warrants to Timothy T. Bush and Kathryn L. Bush, trustees of the Bush Living Trust, dated August 18, 1999 and any amendments thereto, the following described real estate, situated in the County of Benton, State of Washington.

LEGAL DESCRIPTION: Real property in the County of Benton, State of Washington, described as follows:

Lots 2 and 4, Short Plat No. 3592, according to the survey thereof recorded under Auditor's File No. 2018-036918, Records of Benton County, Washington.

Subject To: This conveyance is subject to covenants, conditions, restrictions and easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

City of Richland, Washington, a municipal corporation

By: 

Name: Cynthia D. Reents *hdc*

APN: 115981020400054

Statutory Warranty Deed
- continued

File No.: 4381-3165217 (PS)

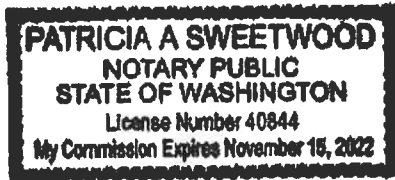
Title: City Manager

STATE OF Washington)
COUNTY OF Benton)-ss
)

I certify that I know or have satisfactory evidence that **Cynthia D. Reents**, is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument, on oath stated that he/she/they is/are authorized to execute the instrument and acknowledged it as the **City Manager of City of Richland, Washington** to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 12-20-2018

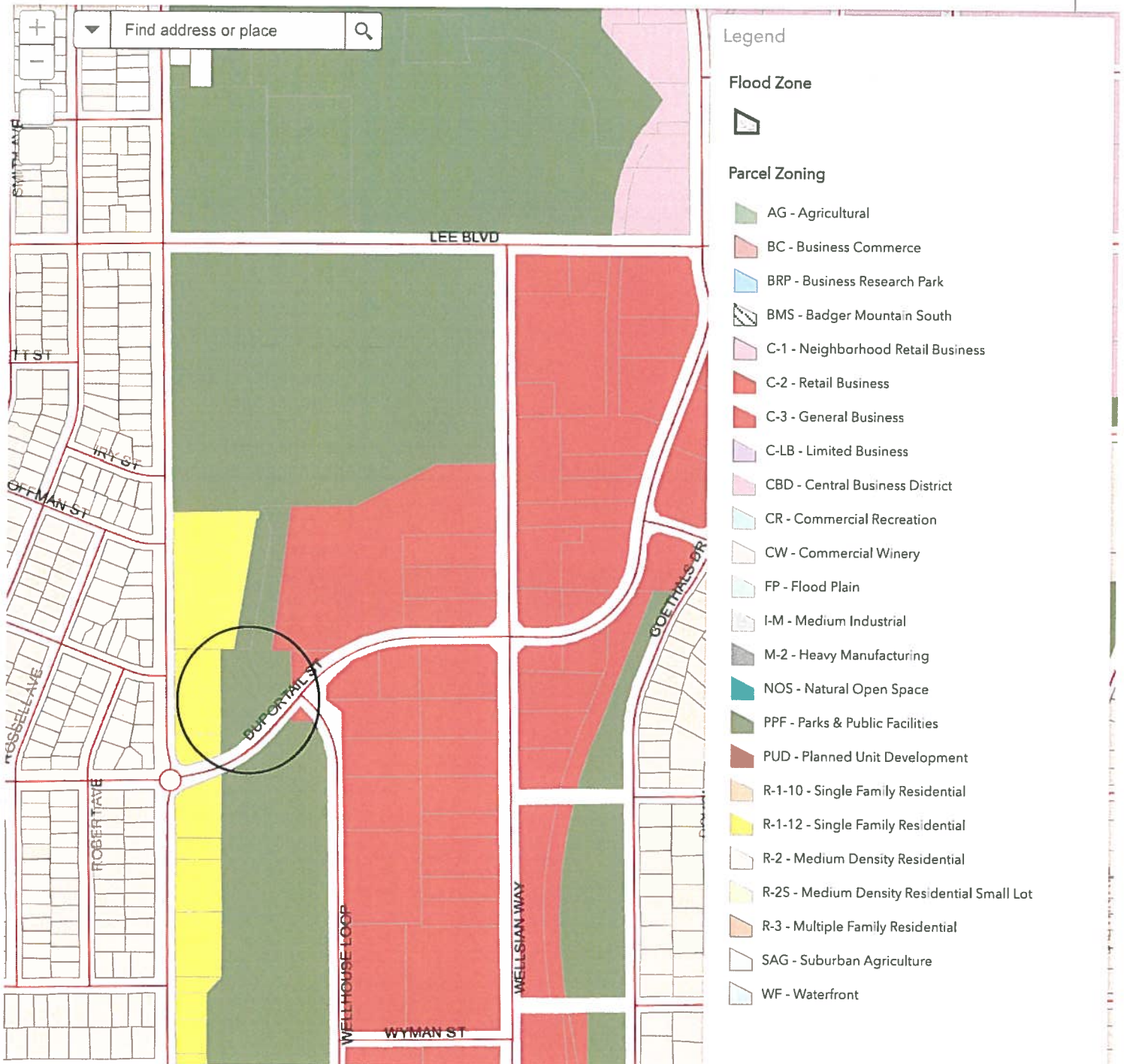
Patricia A. Sweetwood



Notary Public in and for the State of Washington
Residing at: Pasco
My appointment expires: 11-15-2022

Zoning Map

Parcel zoning

<https://www.ci.richland.wa.us>

Legend

Flood Zone



Parcel Zoning

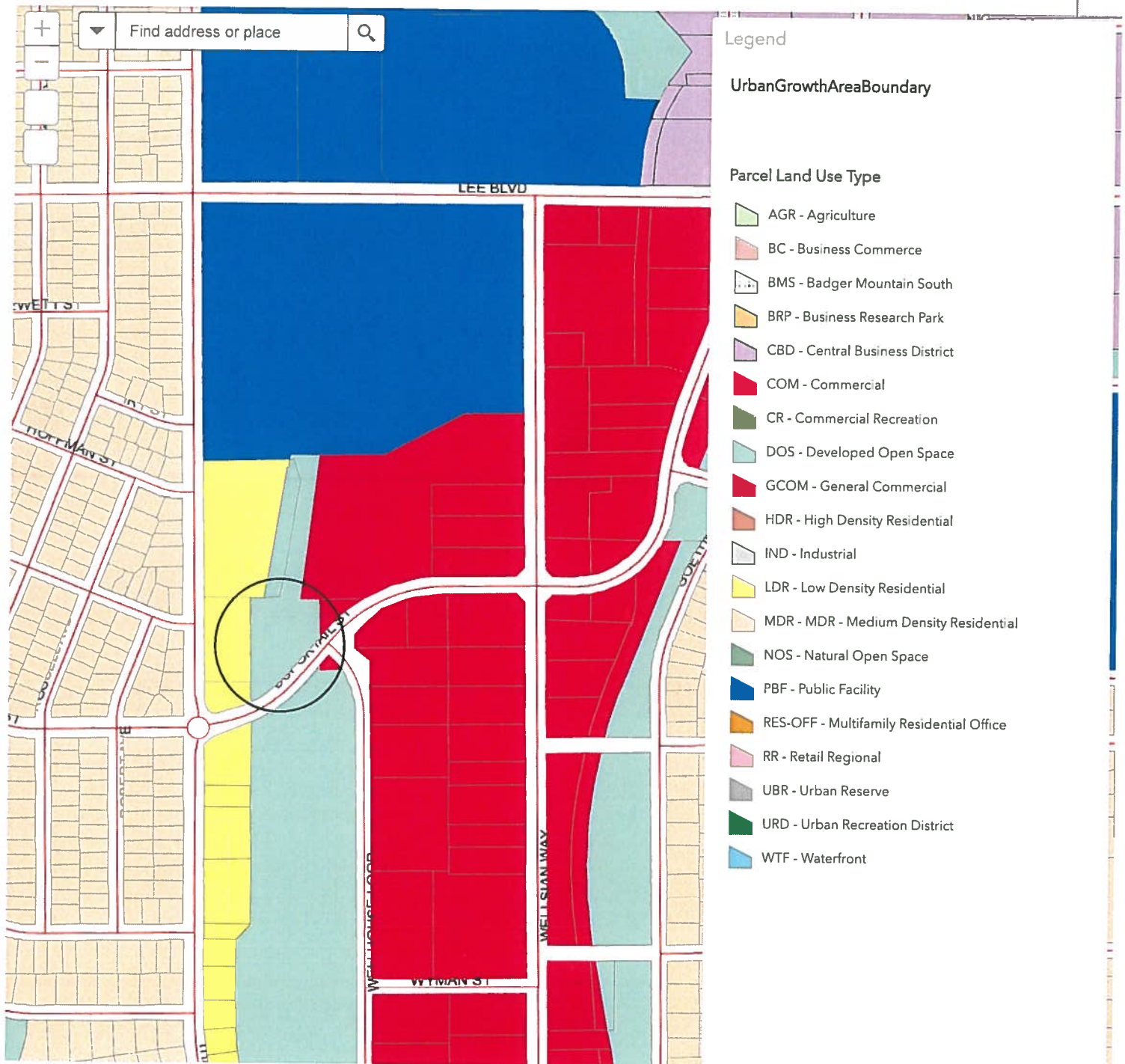
- AG - Agricultural
- BC - Business Commerce
- BRP - Business Research Park
- BMS - Badger Mountain South
- C-1 - Neighborhood Retail Business
- C-2 - Retail Business
- C-3 - General Business
- C-LB - Limited Business
- CBD - Central Business District
- CR - Commercial Recreation
- CW - Commercial Winery
- FP - Flood Plain
- I-M - Medium Industrial
- M-2 - Heavy Manufacturing
- NOS - Natural Open Space
- PPF - Parks & Public Facilities
- PUD - Planned Unit Development
- R-1-10 - Single Family Residential
- R-1-12 - Single Family Residential
- R-2 - Medium Density Residential
- R-2S - Medium Density Residential Small Lot
- R-3 - Multiple Family Residential
- SAG - Suburban Agriculture
- WF - Waterfront

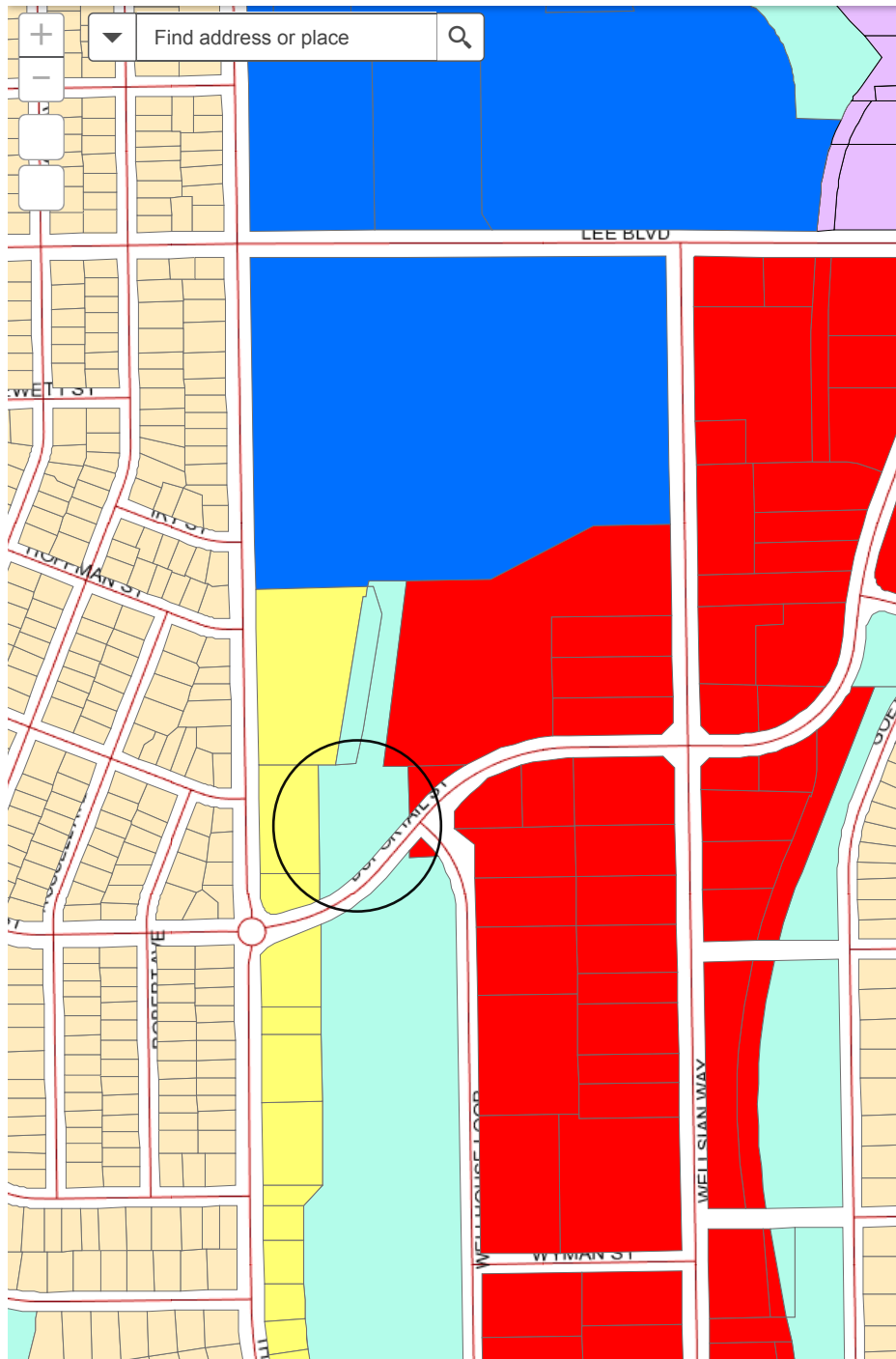
400ft

1 947,290.202 344,220 522 Feet

GMA Land Use Plan

Comprehensive Plan Land Use

<https://www.ci.richland.wa.us>



Legend

UrbanGrowthAreaBoundary

Parcel Land Use Type

- AGR - Agriculture
- BC - Business Commerce
- BMS - Badger Mountain South
- BRP - Business Research Park
- CBD - Central Business District
- COM - Commercial
- CR - Commercial Recreation
- DOS - Developed Open Space
- GCOM - General Commercial
- HDR - High Density Residential
- IND - Industrial
- LDR - Low Density Residential
- MDR - MDR - Medium Density Residential
- NOS - Natural Open Space
- PBF - Public Facility
- RES-OFF - Multifamily Residential Office
- RR - Retail Regional
- UBR - Urban Reserve
- URD - Urban Recreation District
- WTF - Waterfront

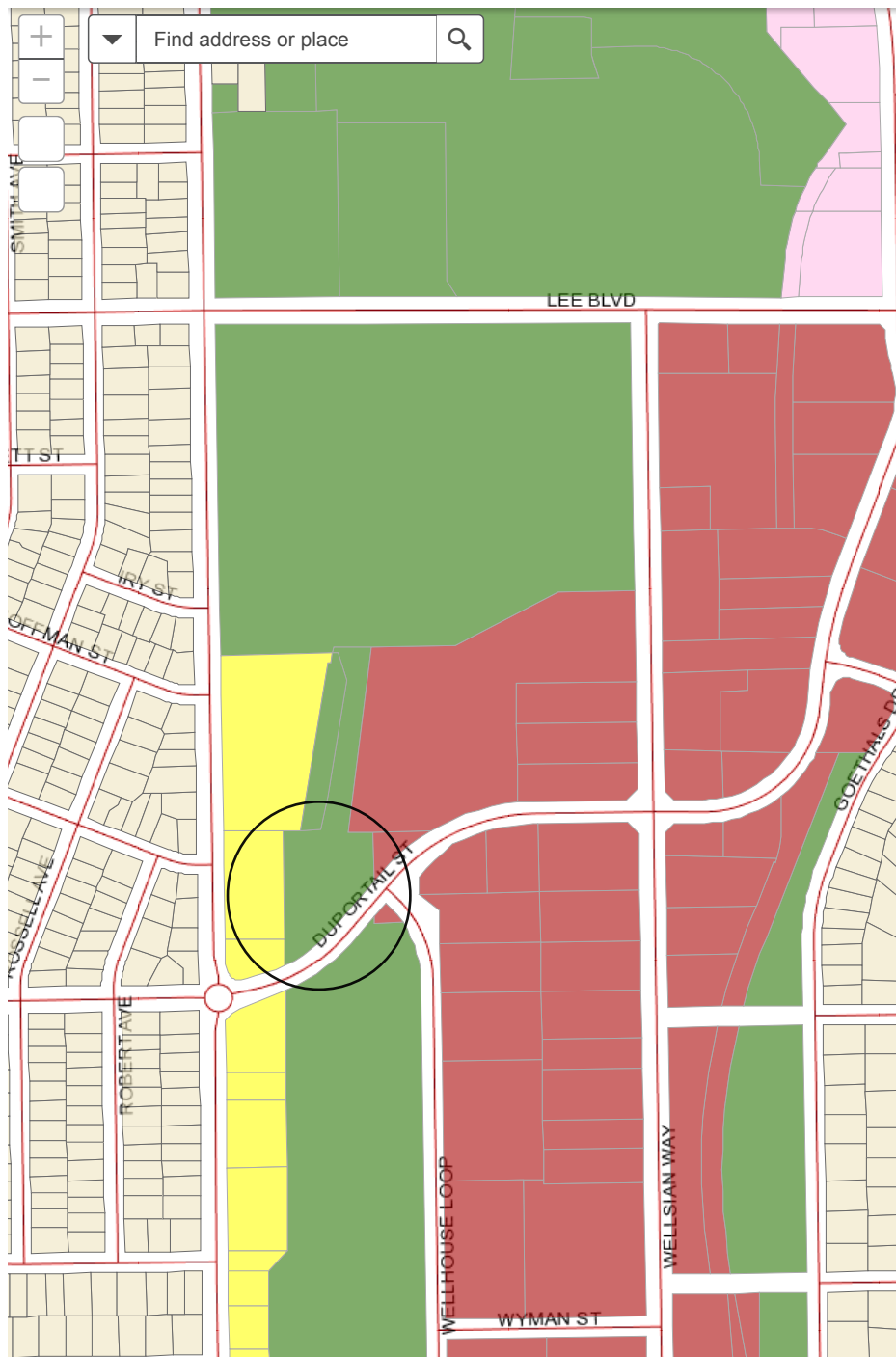
400ft

1,949,141.016 343,787.289 Feet



Zoning Map

Parcel zoning

<https://www.ci.richland.wa.us>

Legend

Flood Zone

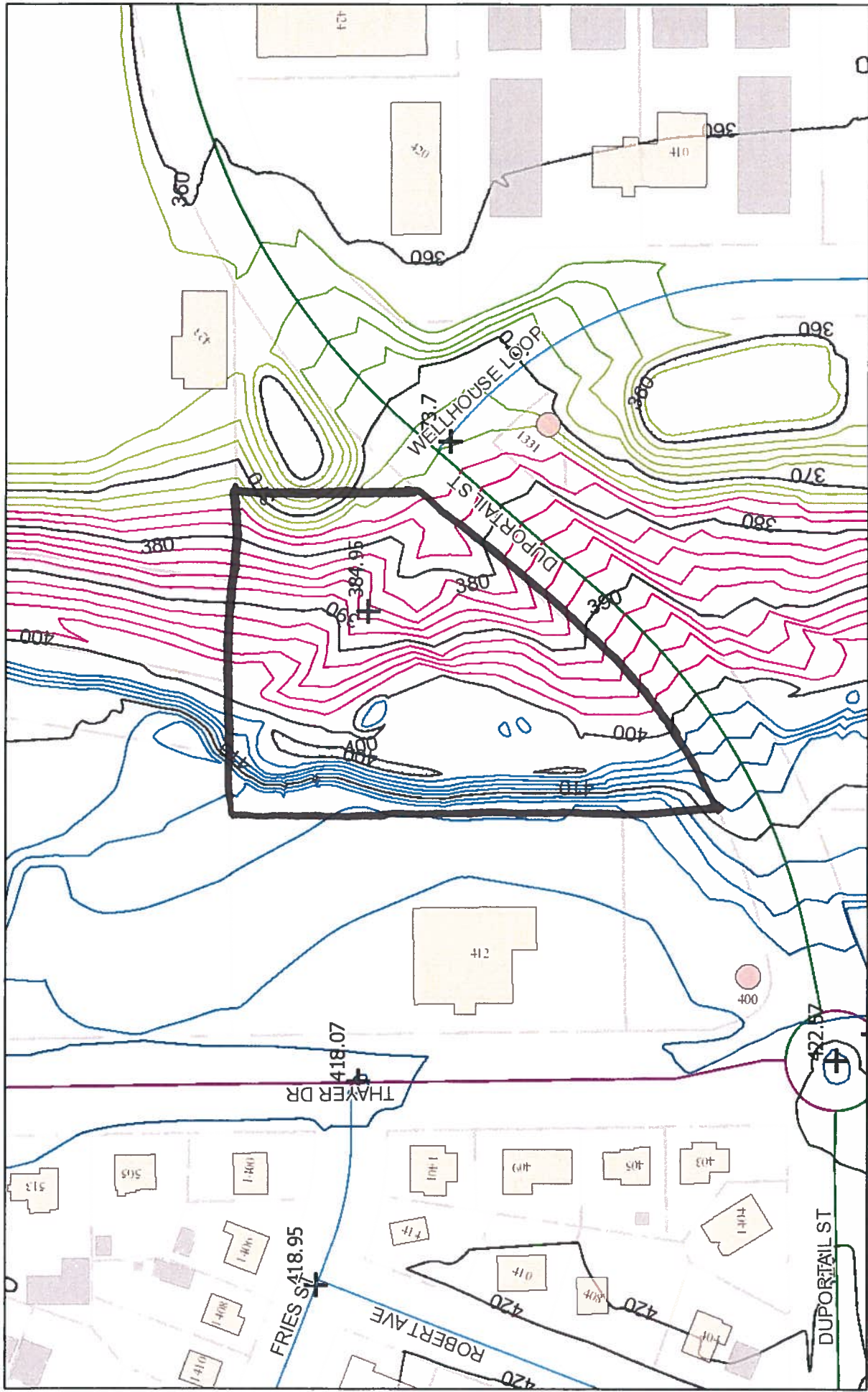


Parcel Zoning

- AG - Agricultural
- BC - Business Commerce
- BRP - Business Research Park
- BMS - Badger Mountain South
- C-1 - Neighborhood Retail Business
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- R-2S - Medium Density Residential Small Lot
- R-3 - Multiple Family Residential
- SAG - Suburban Agriculture
- WF - Waterfront

400ft

1,947,290.202 344,220.522 Feet



March 5, 2019

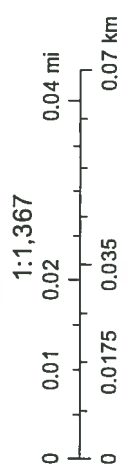
Richland City Limits

Urban Growth Area

Richland Airport

Interstate

Lot 2 SP 3592



The City of Richland does not guarantee the accuracy, adequacy, completeness or usefulness of any information. The City of Richland does not warrant the completeness, timeliness, or positional, thematic, and attribute accuracy of the GIS Data. The appropriate City department should always be contacted for more information.



Comprehensive Plan Amendment Application

☒ Comprehensive Plan Land Use Map ☐ Text of Comprehensive Plan

Note: A Pre-Application meeting is advised prior to submittal of an application

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Bush Living Trust

Address: 955 Aaron Drive Richland WA 99352

Phone: 509-947-9702

Email: NA

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: Wave Design Group LLC

UBI# 603-374-614

Contact: Dalton Walker

Address: 418 N Kellogg St. STE. B Kennewick WA 99336

Phone: 509-737-1000

Email: dalton@wavedesigngroupllc.com

PROPERTY INFORMATION

Legal Description: 251 WELLHOUSE LOOP

Parcel # 115981020400054

Current Zoning: PPF

Current Land Use Designation: DOS

GENERAL REQUIREMENTS FOR ALL APPLICATIONS – Provide written statements explaining the following

1. The purpose of the proposed amendment;
2. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (The goals the Act are listed in 36.70A.020);
3. How the amendment is consistent with the adopted countywide planning policies;
4. How the amendment furthers the purpose of the city's comprehensive plan;
5. How the amendment is internally consistent with the city's comprehensive plan, as well as other adopted city plans and codes;
6. If applicable, how the project will meet concurrency requirements for transportation;
7. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
8. **Comprehensive Plan TEXT AMENDMENT applications must also include;**
 - a. The proposed element, chapter, section and page number of the comp plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
9. **Comprehensive Plan MAP AMENDMENT applications must also include;**
 - a. The current land use map designation for the subject parcel(s).
 - b. The land use map designation requested.
 - c. A complete legal description describing the combined area of the subject parcel(s)
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All road abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
 - iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable
 - v. The location of existing utilities serving the subject parcels including electrical, water and sewer;
 - vi. The location and uses of existing structures located on the subject parcel(s);

- e. A traffic impact analysis (TIA) assessing the potential impacts of the proposed amendment.
- f. Topographical map of the subject parcels and abutting properties at a scale of a minimum of one inch represents 200 feet (1:200);
- g. The current official zoning map designation for the subject parcel(s);
- h. A detailed plan which indicates any proposed improve
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- i. A corresponding zoning map amendment application, where necessary to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- j. A description of any associated development proposals. Development proposals shall not be processed concurrent with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the city's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the city will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The city shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

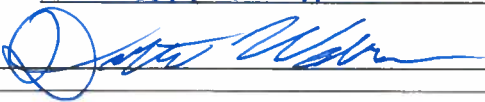
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Dalton Walker

Applicant Signature:  Date 02/28/2019

1. The purpose of the proposed amendment;

The purpose for this amendment is to ask for a rezoning for a lot that is zoned PPF. We would like to rezone the lot to C-2.

2. Describe how the amendment is consistent with Washington State Growth Management Act- RCW 36.70A (The goals the Act are listed in 36.70A.020);

The amendment is consistent with the Washington State growth management act 36,70A.020 because the parcel to be rezoned will encourage economic growth. The rezoning will provide the opportunities for all citizens which will impact economic development, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's public facilities.

3. How the amendment is consistent with the adopted countywide planning policies;

Rezoning to C-2 is consistent with county wide policies creating urban growth. This will encourage development in urban areas where adequate public facilities exist or can be provided in a cost-efficient manner. Ensures that those public facilities and services necessary to support development shall be adequate to serve development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

4. How the amendment furthers the purpose of the city's comprehensive plan;

City of Richland comprehensive plan community goal is to ensure and enhance the continuing sense of a livable and sustainable community in Richland. The second goal is to create a vibrant, progressive, physically, socially, economically, and culturally diverse community providing choices of jobs, housing, and recreational opportunities to its residents of all ages which is stated in the comprehensive plan under General Community Goals. Rezoning the PPE to C-2 contributes to the community goals and visions.

5. How the amendment is internally consistent with the city's comprehensive plan, as well as other adopted city plans and codes;

The rezoning plan will comply with the city's codes listed in Chapter 23.28 Business zoning district. The new rezoning will also give a buffer to the residents from C-3 parcel located on the east side of Wellhouse loop. The current PPE zone is bare creating no sound barrier.

6. If applicable, how the project will meet concurrency requirements for transportation;

The plan will include sidewalks, improved shoulders, and appropriate signage which will be pedestrian-friendly.

7. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;

The rezoned lot is located on the critical area map as Aquifer Recharge Area. Richland municipal code 22.10.350 Uses prohibited in critical aquifer recharge area prohibited activities are listed below. The rezoning to C-2 activities is not a prohibited activity on the current land use.

A. Landfills. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste landfills;

B. Underground Injection Wells. Class I, III, and IV wells and subclasses 5F01, 5D03, 5F04, 5W09, 5W10, 5W11, 5W31, 5X13, 5X14, 5X15, 5W20, 5X28, and 5N24 of Class V wells;

C. Mining in critical aquifer recharge areas determined to be highly susceptible in the city's wellhead protection plan.

- 1. Metals and hard rock mining;**
- 2. Sand and gravel mining;**

D. Wood Treatment Facilities. Wood treatment facilities that allow any portion of the treatment process to occur over permeable surfaces (both natural and manmade);

E. Storage, Processing, or Disposal of Radioactive Substances. Facilities that store, process, or dispose of radioactive substances. [Ord. 40-17 § 1; Ord. 40-17A § 1].

8. Comprehensive Plan TEXT AMENDMENT applications must also include;

- a. The proposed element, chapter, section and page number of the comp plan to be amended; **NA**
- b. The proposed text change, with new text underlined and deleted text crossed out; **NA**

9. Comprehensive Plan MAP AMENDMENT applications must also include;

- a. The current land use map designation for the subject parcel(s).
The current land use for the parcel is DOS – Developed Open Space.

- b. The land use map designation requested.

The amendment is asking for the land use to change to GCOM – General Commercial

- c. A complete legal description describing the combined area of the subject parcel(s)

Included see attachment.

- d. A vicinity map showing

Included see attachment

- i. All land use designations within 300 feet of the subject parcel(s);
- ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
- iii. All road abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
- iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable
- v. The location of existing utilities serving the subject parcels including electrical, water and sewer;
- vi. The location and uses of existing structures located on the subject parcel(s);

None.

- e. A traffic impact analysis (TIA) assessing the potential impacts of the proposed amendment.

Wellhouse street is tucked back and though the rezoning will increase traffic, no though forces will be largely impacted. The rezoning plan will include complete streets practices listed in chapter 12.02 Street Function Classification Plan.

Topographical map of the subject parcel and abutting properties at a scale of a minimum of one inch represents 200 feet (1:200);

Included see attachment

- g. The current official zoning map designation for the subject parcel(s);

The current zone for the parcel is PPE.

- h. A detailed plan which indicates any proposed improve

See included site plan for proposed improvements.

- i. Paved streets;
- ii. Public water supply;
- iii. Public sanitary sewers;
- iv. Circulation and traffic patterns for the development and the surrounding neighborhoods;

i. A corresponding zoning map amendment application, where necessary to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;

Included see attached rezoning application.

j. A description of any associated development proposals. Development proposals shall not be processed concurrent with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the city's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the city will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The city shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

The proposed rezoning design plan has taken the surrounding zones into consideration. The owner of the parcel is asking to rezone PPF to C-2. The zone has the ability for multiple housing units, mixed – use, and assisted living facilities.

The C-2 zone will give the community opportunities for new jobs and housing. The intended purpose for the parcel to be rezoned to C-2 is to build office spaces which will be available for leasing to small and medium size businesses. Building the office spaces ensures that the small and medium size businesses receive similar advantages as a larger business in the community. The design for C-2 also includes new condominium with 3 or more units, which expands the range of options for higher density development. This is a goal listed in the comprehensive plan under economic development.

The current lots are bare and are not helping the community the new rezoning will give the community new character in buildings, landscaping and streetscape design. The design plan will help with the vision that the City of Richland has documented in the comprehensive plan under Community Vision. Listed below are the City of Richland municipal zoning and development codes for both rezoning parcel request:

23.22.010 Purpose of commercial use districts.

C. The retail business use district (C-2) is a business zone classification providing for a wide range of retail business uses and services compatible to the core of the city and providing a focal point for the commerce of the city. All activities shall be conducted within an enclosed building except that off-street loading, parking, and servicing of automobiles may be in the open and except that outdoor storage may be permitted when conducted in conjunction with the principal operation which is in an enclosed adjoining building. This zoning classification is intended to be applied to some portions of the city that are designated commercial under the city of Richland comprehensive plan.

23.22.020 Performance standards and special requirements.

B. Neighborhood Retail Business. All uses permitted in a C-1 district must comply with the following performance standards:

1. All business, service, repair, processing, or merchandise display shall be conducted wholly within an enclosed building, except for off-street automobile parking, the sale of gasoline, and self-service car washes. Limited outdoor display of merchandise is permitted; provided, that such display shall include only those quantities sold in a day's operation.
2. Outdoor storage areas incidental to a permitted use shall be enclosed with not less than a six-foot-high fence and shall be visually screened from adjoining properties. All storage areas shall comply with building setbacks.
3. Not more than three persons shall be engaged at any one time in fabricating, repairing, cleaning, or other processing of goods other than food preparation in any establishment. All goods produced shall be primarily sold at retail on the premises where produced.
4. Lighting, including permitted illuminated signs, shall be shielded or arranged so as not to reflect or cause glare to extend into any residential districts, or to interfere with the safe operation of motor vehicles.
5. Noise levels resulting from the operation of equipment used in the conduct of business in the C-1 district shall conform to the requirements of Chapter 173-60 WAC, Maximum Environmental Noise Levels.
6. No single retail business, except for a food store, shall operate within a building space that exceeds 15,000 square feet in area, unless approved by the planning commission through the issuance of a special use permit upon the finding that the proposed retail business primarily serves and is appropriately located within the surrounding residential neighborhoods.
7. In addition to standards (1) through (6) listed above, any commercial use that is immediately adjacent to a residentially zoned property (including R-1-12, single-family residential, R-1-10, single-family residential, R-2, medium density residential, R-2S, medium density residential small lot, or planned unit development that is comprised of single-family homes) shall comply with the following standards. For the purposes of this section, the term "adjacent" includes abutting properties, and any property that is located within 75 feet of the nearest residential property. The term "adjacent" does not include properties that are separated by a public right-of-way.
 - a. Setback from Residential Property Boundary. Thirty feet.
 - b. Building Design Standard. No rooftop mechanical equipment shall be permitted unless screened from view with parapet wall or similar screening.
 - c. Parking. Vehicle parking areas and any access driveways (pavement) must be set back a minimum of 10 feet from residential property boundary. A solid fence or masonry wall

between six and eight feet tall is required between any paved parking or access drive and the residential property boundary.

d. Outdoor Lighting. All outdoor lighting must comply with the Pattern Outdoor Lighting Code (USA) standard version 2.0, July 2010. For the purposes of this section, properties subject to this standard shall be considered to be within lighting zone 1.

e. Signs. All commercial signs placed on-site shall comply with Section 5 of the Pattern Outdoor Lighting Code (USA) standard version 2.0, July 2010; except that multicolored changeable copy LED signs shall not be permitted.

f. Mechanical Equipment. Any mechanical equipment placed outdoors between the building and the residential property boundary shall be screened to reduce equipment noise levels. Alternatively, the building owner can provide documentation to the city indicating that the specific equipment to be used will not generate noise levels beyond permissible state noise standards.

g. Refuse Areas. Any dumpsters or area for collection of recycled materials shall be set back a minimum of 20 feet from the nearest residential property boundary and shall be screened from view by a solid screen sufficient to block its view from all adjacent residential properties.

h. Landscaping. The portions of a commercial site that lie within 30 feet of a residential property boundary that are not covered with buildings, parking areas, access drives, loading areas or outdoor storage shall be landscaped and/or xeriscaped.



Zoning Map/Text Amendment Application

Note: A Pre-Application meeting is advised prior to submittal of an application

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Bush Living Trust

Address: 955 Aaron Drive Richland WA 99352

Phone: 509-947-9702

Email:

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: Wave Design Group LLC

UBI# 603-374-614

Contact: Dalton Walker

Address: 418 N Kellogg St. STE. B Kennewick WA 99336

Phone: 509-737-1000

Email: dalton@wavedesigngroupllc.com

DESCRIPTION OF WORK

We would like to rezone Lot 4 C-2 .

PROPERTY INFORMATION

Parcel #: 115981020400054

Legal Description: 251 Wellhouse Loop Richland WA 99352

Current Zoning: PPE

Current Comp Plan:

Requested Zoning: C-2

Current Use: Sites are bare

Proposed Use: C - 2

Area of Property: Richland

APPLICATION MUST INCLUDE:

Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved

Other information as determined by the Administrator

ANSWER QUESTIONS AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:

The developer has many successful commercial properties in Tri-Cities.

Any hardship that may result in the event the rezone is not granted:

Land was purchase for C- 2 investment and will be unable to be utilized as current zoning if the rezoning is not granted.

The manner in which the proposed rezone conforms to patterns in adjacent zones:

The design will take into account the surrounding zoning.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:
The proposed commercial rezoning will provide jobs as well as office space for businesses easily accessible by the surrounding residences.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:
Rezoning required for plan as written.

The benefits of detriments accruing to the city which would result from the granting or denial of this special permit:
If the city denies the rezoning of the two lots the owner will not have the opportunity for development. The lots will stay bare and not create any revenue for the city or the community.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:
The land will stay vacant as is or be developed into useful commercial property.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:
The lot that are being proposed for rezoning will help buffer the noise from the C-3 zone across from the R-1-12 zone.

Identify impacts on the environment and public safety:
There will be no impacts .

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Dalton Walker

Applicant Signature: 

Date

2-28-19

Heather,

Below are two clips from our utility land base that show the property you are asking about.

There is a 10" sewer main that runs through this property, shown with the green dashed line. There is an access road that runs alongside and/or over the sewer main to allow City crews access to the manholes.

There also appears to be 3 separate storm ponds on the property; one at the north end that takes stormwater from both Duportail and Wellhouse Loop; one off the intersection of Arbor and Thayer and one off of Lawless and Wellhouse. All three of these ponds take drainage from City streets.

The property is currently owned by City of Richland Parks Department, I think. Any development on it would have to account for the sewer main and the storm ponds.

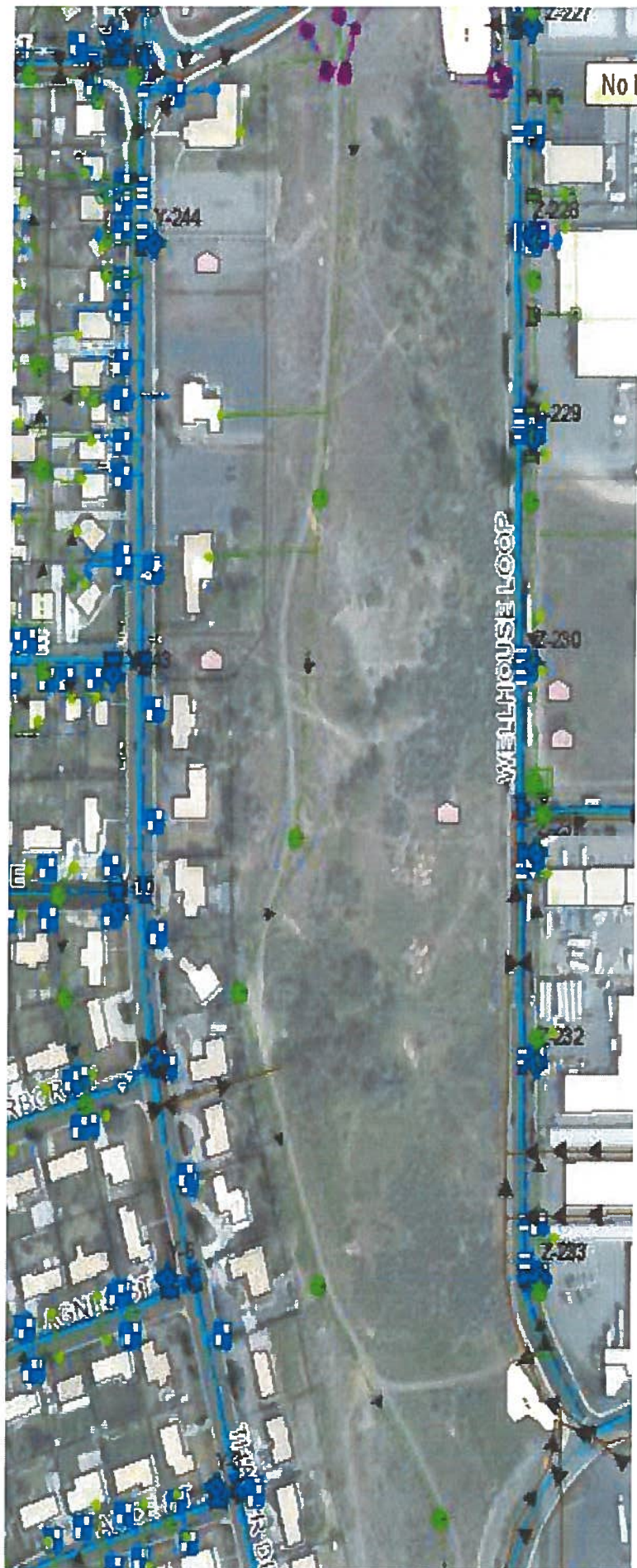
Hope this helps.

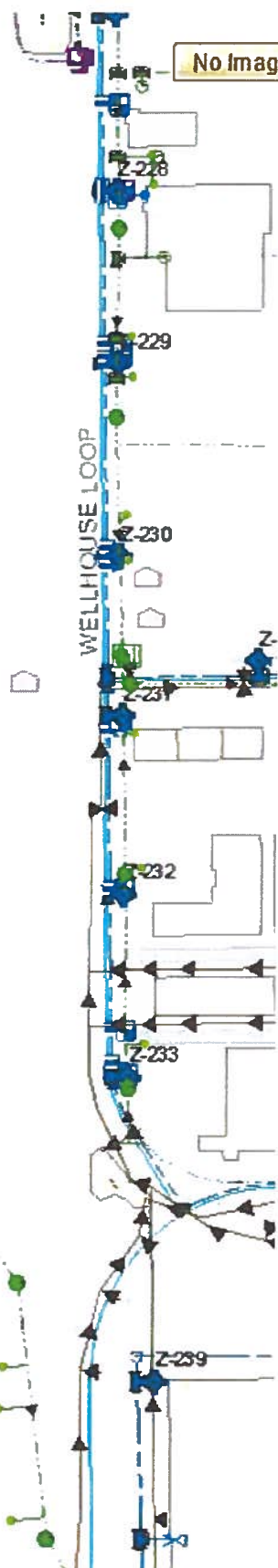
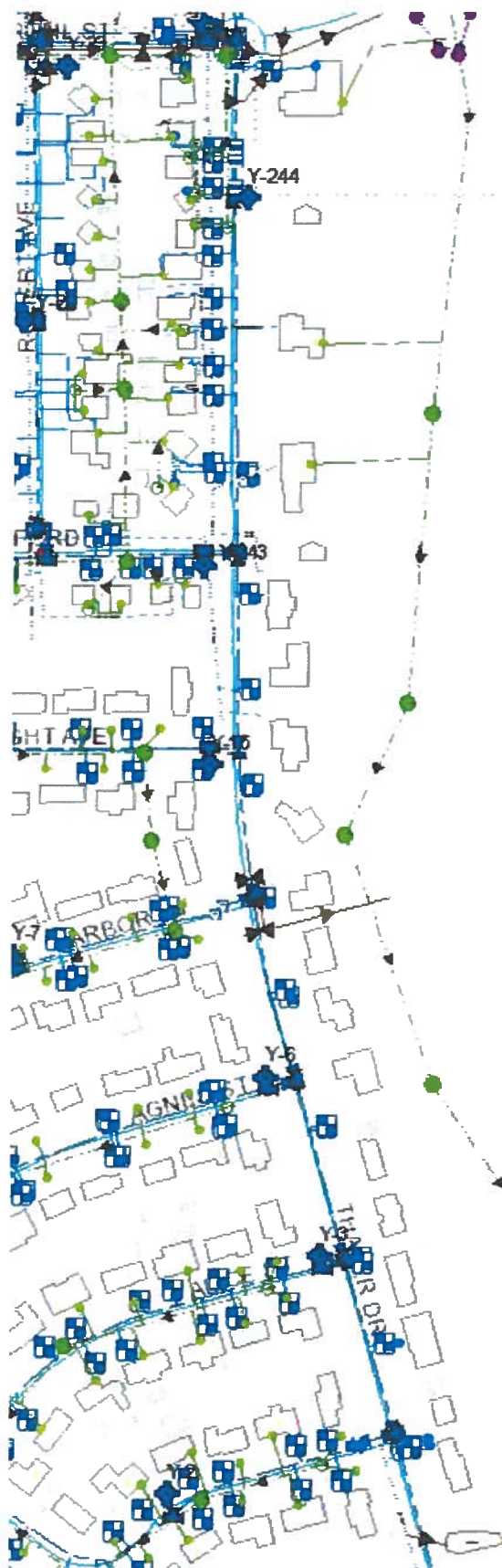
Judy Garcia

City of Richland Public Works Dept.

Private Development

942-7790







8203 W. QUINULT AVE., SUITE 10 • KENNEWICK, WA 99336

PHONE (509) 783-0660 • TITLE FAX (509) 783-0675 • ESCROW FAX (509) 783-6612

300' VARIANCE REPORT

Order No.: CBF8444

To: HEATHER BROOKS
WAVE DESIGN GROUP
heatherb@wavedesigngroupllc.com

The ownership of the real property is based upon an examination of all official records of BENTON County, Washington, and the ownership is based upon the last Deed of record.

The liability of the Company under this certificate shall be limited to the amount of actual loss sustained by the addressee due to reliance on any incorrect information in the certificate up to and not to exceed the fee paid.

Record Examined to: February 27, 2019

LEGAL DESCRIPTION:

LOT 4, SHORT PLAT NO. 3592, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 2018-036918, RECORDS OF BENTON COUNTY, WASHINGTON.

PARCEL NO:

1-1598-102-0400-054 (INCLUDES OTHER PROPERTY)

VESTED IN:

TIMOTHY T. BUSH AND KATHRYN L. BUSH, TRUSTEES OF THE BUSH LIVING TRUST, DATED AUGUST 18, 1999 AND ANY AMENDMENTS THERETO.

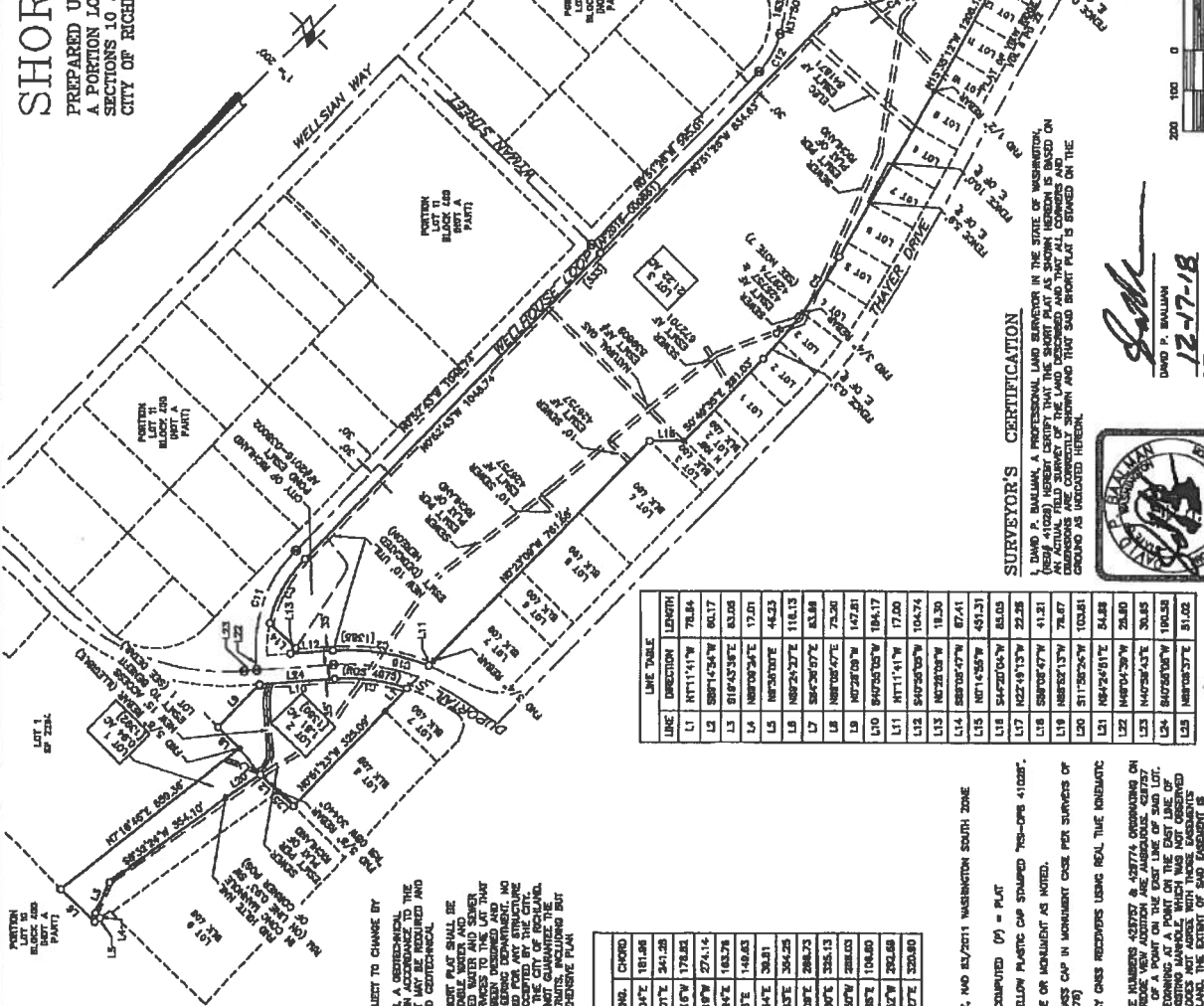
Countersigned:

NOTE: Please see attached Schedule A-1 for owners and addresses within 300 feet of exterior boundaries of property, as requested.

Order No.: CBF8444

1. METROPOLITAN LIFE INS CO 101 WELLSIAN WAY RICHLAND, WA 99352	1-1598-101-2338-004
2. CITY OF RICHLAND THAYER RICHLAND, WA 99352	1-1598-102-0400-001
3. METROPOLITAN LIFE INS CO 101D WELLSIAN WAY RICHLAND, WA 99352	1-1598-102-0400-03F
4. QUENTIN G. SEIDEL 102 THAYER DR RICHLAND, WA 99352	1-1598-103-0000-015
5. POWER ADMIN BONNEVILLE 99 THAYER DR RICHLAND, WA 99352	1-1598-402-0147-001

PREPARED UNDER CITY OF RICHLAND SHORT PLAT ORDINANCE
A PORTION LOT 11, BLOCK 400, PLAT OF RICHLAND, LYING IN
SECTIONS 10 & 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



LINE	LINE PAUSE		LENGTH
	DIRECTION	TIME	
L1	HTT1141N	78.64	
L2	SOP1424N	86.17	
L3	S1614536E	83.06	
L4	SOP1430N	17.01	
L5	HTT1407E	46.23	
L6	NOP14237E	116.13	
L7	SOP1430N	97.52	
L8	NHT1407E	73.30	
L9	NOP1407E	147.81	
L10	SOP14505N	186.17	
L11	HTT1141N	17.00	
L12	SOP14505N	104.74	
L13	NOP14505N	18.30	
L14	NOP14505N	87.41	
L15	NHT1450E	491.31	
L16	SOP14505N	85.03	
L17	HZZ14133N	22.88	
L18	NHT1450E	41.31	
L19	NHT1450E	76.67	
L20	S11130226N	100.81	
L21	NHT1450E	84.88	
L22	NHT1450E	76.80	
L23	NHT1450E	30.83	
L24	SOP14505N	180.38	
L25	NHT1450E	81.09	

SURVEYOR'S CERTIFICATION

I, DAVID P. BAUMANN, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF WASHINGTON, (REG# 41028) HEREBY CERTIFY THAT THE SHORT PLAT AS SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY OF THE LAND DESCRIBED AND THAT ALL CORNERS AND DIMENSIONS ARE CORRECTLY SHOWN AND THAT SAID SHORT PLAT IS STATED ON THE GROUND AS INDICATED HEREON.



David P. Sullivan
DAVID P. SULLIVAN
12-17-18
DATE

0574 7250

LAND

PROJECT	SHORT PLAT	PORTION LOT 11 BLOCK 400, PLAT OF RICHLAND	DRAWN BY	DATE	SCALE	ACAD VER	SHEET
			APPROVED	DATE	1"= 200'	2017	1

PSI



U.S. MAR. 1964
VOLUME 1 OF
WASHINGTON.
918

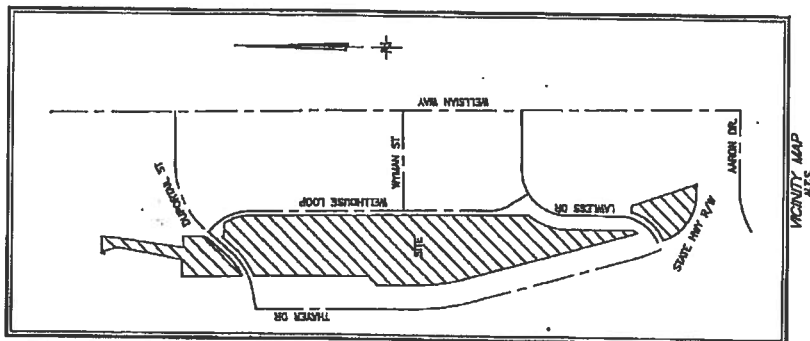
THE CITY OF RICHLAND AT:
20¹⁸ A.D., AND RECORDED
RECORDS OF BENTON COUNTY,
Ark.
1918-01
FEE PAID

RECORDED AT THE REQUEST OF
DAY OF DECEMBER
DATE, AT PAGE 592 F
A CHILTON by Richard
COUNTY AUDITOR

AUDIT
FILED FOR
THIS JULY
SHORT I
BREXID
BENTON

SHORT PLAT NO. 3592

PREPARED UNDER CITY OF RICHLAND SHORT PLAT ORDINANCE
A PORTION LOT 11, BLOCK 400, PLAT OF RICHLAND, LYING IN
SECTIONS 10 & 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.
CITY OF RICHLAND, HENTON COUNTY, WASHINGTON

[illegible]

AND ALSO EXERCISE THAT PORTION DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF WELLSMAN WAY AND ELLIOT STREET; SAID POINT BEING LOCATED ON THE CONTINUING OF WELLSMAN WAY; THENCE SOUTH 01°17'13" EAST; THENCE SOUTH 89°04'47" WEST 40 FEET TO A POINT ON THE WESTERN BORDER OF WELLSMAN WAY; THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°04'47" WEST 300 FEET; THENCE SOUTH 01°17'13" EAST 300 FEET; THENCE NORTH 89°04'47" EAST 300 FEET; THENCE NORTH 01°17'13" WEST 320 FEET TO THE TRUE POINT OF BEGINNING;

[illegible][illegible][illegible]

IT IS ALSO ORDERED THAT PORTION DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF WELLSMAN WAY & CLAY STREET, THENCE SOUTH 05°11'13" EAST ALONG THE CENTERLINE OF WELLSMAN WAY A DISTANCE 150.00 FEET; THENCE SOUTH 87°10'47" WEST A DISTANCE OF 43.00 FEET TO A POINT AT THE INTERSECTION OF THE WEST WELLSMAN WAY AND THE NORTH WAGON OF WELLSHOUSE LOOP; SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH WAGON A DISTANCE OF 43.00 FEET TO A POINT OF BEGINNING; THENCE SOUTH 10°00'00" WEST ALONG SAID NORTH WAGON A DISTANCE OF 43.00 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 87°07'47" AND A RADIUS OF 23.00 FEET, AN ARC DISTANCE OF 10.00 FEET, TO A POINT OF TANGENCY; THENCE ALONG SAID TANGENCY A DISTANCE OF 23.00 FEET; THENCE LEAVING SAID WAGON 87°10'47" WEST A DISTANCE OF 23.00 FEET; AN ARC DISTANCE OF 23.00 FEET; AN ARC DISTANCE OF 43.00 FEET TO A POINT OF TANGENCY; THENCE ALONG SAID TANGENCY A DISTANCE OF 23.00 FEET TO THE WEST WAGON OF WELLSMAN WAY; THENCE SOUTH 05°11'13" EAST ALONG THE CENTERLINE OF SAID WAGON 87°10'47" WEST A DISTANCE OF 23.00 FEET TO THE WEST WAGON OF WELLSMAN WAY; THENCE SOUTH 05°11'13" EAST ALONG THE CENTERLINE OF WELLSMAN WAY A DISTANCE OF 43.00 FEET TO THE TRUE POINT OF BEGINNING; NORTH 87°10'47" WEST A DISTANCE OF 43.00 FEET TO THE TRUE POINT OF BEGINNING; OR AS MEASURED ALONG THE WEST LINE THEREOF.

[illegible]

ALSO EXEMPT THAT PORTION FOR ROAD RIGHT OF WAY (AUXILIARY ST) CONNECTED BY INSTRUMENT RECORDED ON DECEMBER 14, 2018 UNDER AUDITOR'S FILE NO. 2018-007848;
ALSO EXEMPT THAT PORTION DEDICATED FOR WELLSHOUSE LOOP AND WYMAN STREET BY THE CITY OF RICHLAND ON JANUARY 11, 2018 UNDER AUDITOR'S FILE NO. 2018-008081;

AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF THE CITY OF RICHLAND AT 4:15 P.M.
THIS 17th DAY OF December, 2018 A.D. AND RECORDED IN VOLUME : OF
SHORT PLATS, AT PAGE 591 RECORDS OF SENOON COUNTY, WASHINGTON

BRENDA CHILTON by Ruler this
CHILTON COUNTY AUDITOR Date: 2018-03-18
2018-03-18
2018-03-18

CLIENT	CITY OF RICHLAND	JOB	422118
PROJECT	SHORT PLAT		
PORTION LOT 11 BLOCK 400, PLAT OF RICHLAND			
DRAWN BY	DPG	SCALE	1"=40'-0"
APPROVED DSG	DATE	12-18-18	FILE NO. 10711-04
			SHEET 2 OF 2

RSI
ROGERS SURVEYING INC., P.S.
1485 COLUMBIA PARK TRAIL
MICHIGAN, IL 60538
PHONE (800) 783-6161
FAX (800) 783-8994
WWW.RSISURVEYING.COM

12-17-18



AFTER RECORDING MAIL TO:

Bush Living Trust
520 West Columbia Drive
Kennewick, WA 99336

139970 - \$10.00 - DG - 12/26/2018 - Benton County

FIRST AMERICAN

Filed for Record at Request of:
First American Title Insurance Company

Space above this line for Recordors use only

100

STATUTORY WARRANTY DEED

File No: **4381-3165217 (PS)**

Date: **December 18, 2018**

Grantor(s): **City of Richland, Washington**

Grantee(s): **Bush Living Trust**

Abbreviated Legal: **Lots 2 and 4, Short Plat No. 3592**

Additional Legal on page:

Assessor's Tax Parcel No(s): **115981020400054 (includes other property)**

THE GRANTOR(S) City of Richland, Washington, a municipal corporation for and in consideration of Ten Dollars and other Good and Valuable Consideration, in hand paid, conveys, and warrants to Timothy T. Bush and Kathryn L. Bush, trustees of the Bush Living Trust, dated August 18, 1999 and any amendments thereto, the following described real estate, situated in the County of Benton, State of Washington.

LEGAL DESCRIPTION: Real property in the County of Benton, State of Washington, described as follows:

Lots 2 and 4, Short Plat No. 3592, according to the survey thereof recorded under Auditor's File No. 2018-036918, Records of Benton County, Washington.

Subject To: This conveyance is subject to covenants, conditions, restrictions and easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

City of Richland, Washington, a municipal corporation

By: Cynthia D. Reents
Name: Cynthia D. Reents *hal*

APN: 115981020400054

Statutory Warranty Deed
- continued

File No.: 4381-3165217 (PS)

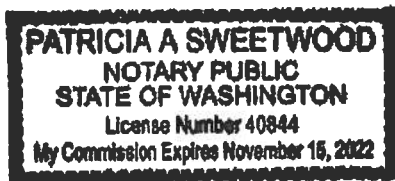
Title: City Manager

STATE OF Washington)
COUNTY OF Benton) ss

I certify that I know or have satisfactory evidence that **Cynthia D. Reents**, is are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument, on oath stated that he/she/they is are authorized to execute the instrument and acknowledged it as the **City Manager of City of Richland, Washington** to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 12-26-2018

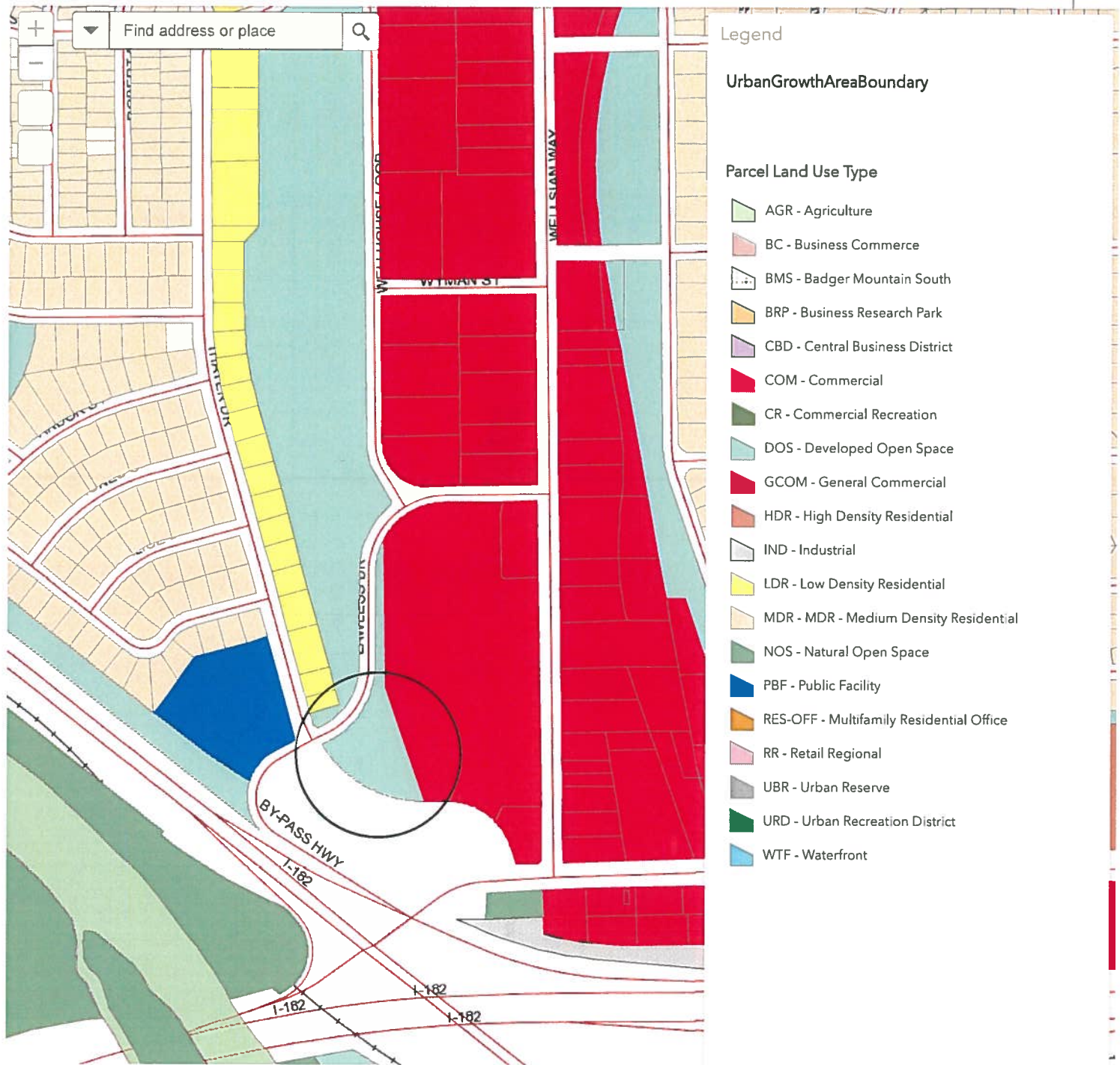
Patricia A. Sweetwood



Notary Public in and for the State of Washington
Residing at: Pasco
My appointment expires: 11-15-2022

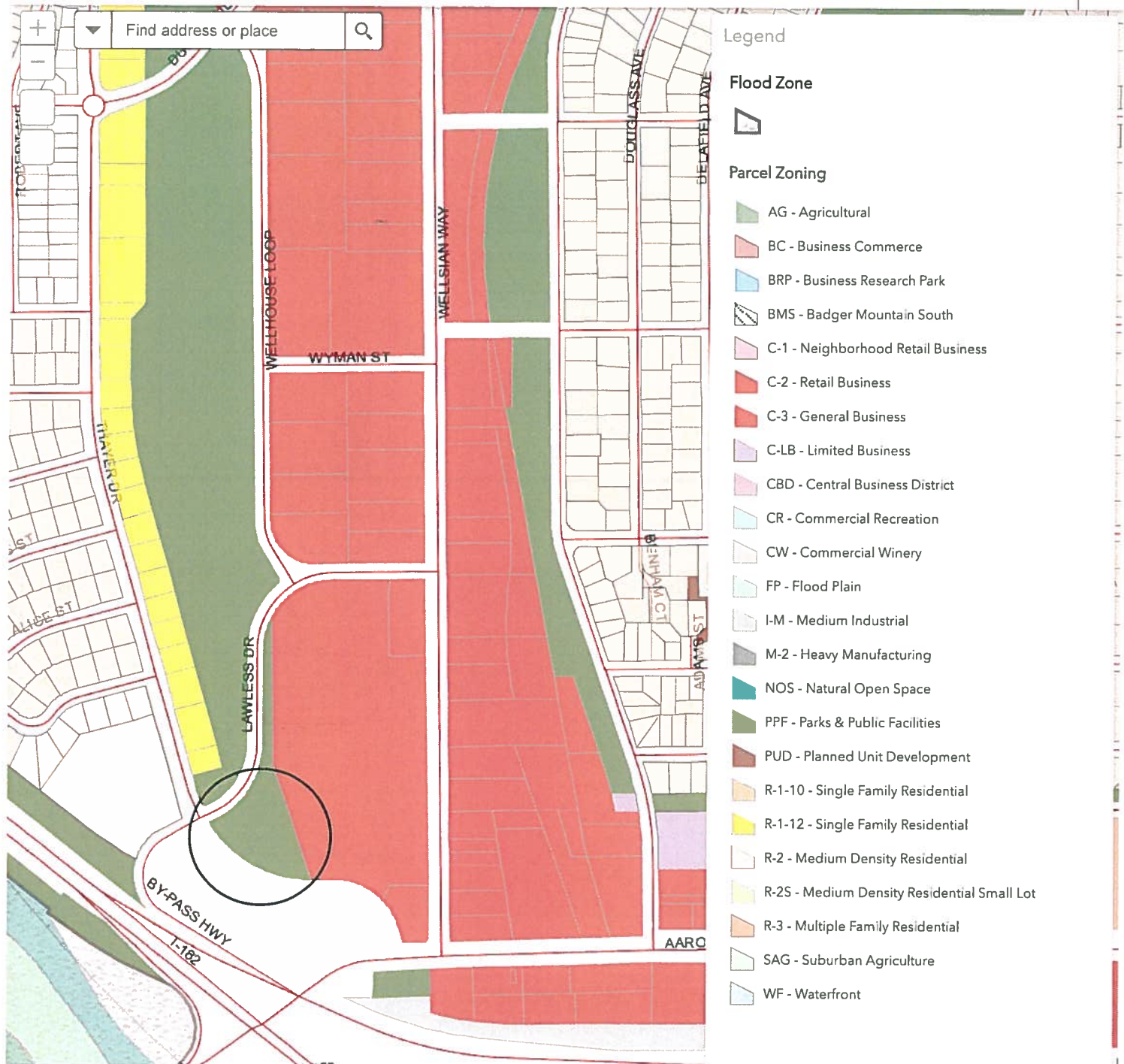
GMA Land Use Plan

Comprehensive Plan Land Use

<https://www.ci.richland.wa.us>

Zoning Map

Parcel zoning

<https://www.ci.richland.wa.us>

400ft

1 950,640.876 342 994 828 Feet



SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2014

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND

1. Name of proposed project, if applicable: Bush commercial retail / multi family dwelling
2. Name of applicant: Tim Bush / Dalton Walker Wave Design Group on behalf of Tim Bush
3. Applicant contact information:
Address: 955 Aaron Drive, Richland WA 99352

Phone #: (509) 737-1000
email address: Dalton@wavedesigngrouppllc.com
4. Date checklist prepared: February 27th 2019
5. Agency requesting checklist: City of Richland, WA Development Services
6. Proposed timing or schedule (including phasing, if applicable):
The time frame for this project is awaiting the comprehensive plan amendment approval
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
Yes, the plan for the parcel is to build commercial retail center and multi family housing units.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
None.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
None
10. List any government approvals or permits that will be needed for your proposal, if known.
Comprehensive Plan, permit and site plan approval from the City of Richland
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
The lot is 2.02 acres. The proposed use for land is C-2 zoning which is a business zone classification providing for a wide range of retail business uses and services compatible to the core of the city and providing a focal point for the commerce of the city as well as multi family dwelling.
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.
See attached short plat map with current location for lot 4 on parcel 115981020400054. The short plat map also has the legal description.

...location cont'd:

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)? 10 %

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

The total area that will be developed is 2.02 acres

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

The site is currently bare.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

65%

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Water truck to maintain dust control during construction

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. **During constructions standard activities dust will be implemented. Once construction has started there will be increased general traffic**

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Water will be used to control dust during construction.

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. **None**
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No work near the water

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
None
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
No
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.
No
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.
No

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.
None
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.
None

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.
Storm water to be controlled on site and discharged in to the soil through a series of bio swales and drywells.
- 2) Could waste materials enter ground or surface waters? If so, generally describe.
Does not impact the surrounding area

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: **Please see C1**

4. Plants

a. Check the types of vegetation found on the site: **None the site is bare**

____deciduous tree: alder, maple, aspen, other

____evergreen tree: fir, cedar, pine, other

____shrubs

____grass

____pasture

____crop or grain

____Orchards, vineyards or other permanent crops.

____wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

____water plants: water lily, eelgrass, milfoil, other

____other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Vegetation will be added to site

c. List threatened and endangered species known to be on or near the site.

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **Perimeter of land use that is being proposed will be landscaped and with future development.**

e. List all noxious weeds and invasive species known to be on or near the site.

None known

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: **None**

birds: hawk, heron, eagle, songbirds, other: _____

mammals: deer, bear, elk, beaver, other: _____

fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site.
None

- c. Is the site part of a migration route? If so, explain.
Yes, Richland is within the Pacific Flyway.
No

- d. Proposed measures to preserve or enhance wildlife, if any:
None

- e. List any invasive animal species known to be on or near the site.
None

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
The C-2 development that is being proposed will need electric and natural gas.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
There is no impact
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
None

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.
- 1) Describe any known or possible contamination at the site from present or past uses.
None
 - 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.
None
 - 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.
None
 - 4) Describe special emergency services that might be required. **No additional services**
 - 5) Proposed measures to reduce or control environmental health hazards, if any:
None

b. **Noise**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

The proposed land use will create additional traffic but will not have a major impact.

- 3) Proposed measures to reduce or control noise impacts, if any:

The proposed land use will help create a noise barrier from the C-3 in the area since the site is currently bare.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site is currently bare. The area to north east is C-3.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? **None**

- i) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: **No**

- b. Describe any structures on the site. **None**

- d. Will any structures be demolished? If so, what? **No**

- e. What is the current zoning classification of the site? **PPF**

- f. What is the current comprehensive plan designation of the site? **DOS**

- g. If applicable, what is the current shoreline master program designation of the site? **NA**

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. **The proposed land use lot is located on the critical area map as Aquifer Recharge Area**

- i. Approximately how many people would reside or work in the completed project?

The amount of people will be based off the design. The land proposed use is C-2 which is commercial retail.

- j. Approximately how many people would the completed project displace? **None**

- k. Proposed measures to avoid or reduce displacement impacts, if any: **None**

- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: **Review and compliance with comprehensive plan.**
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: **None**

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. **The amount of units will be based on the C-2 standards and codes.**
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. **Middle income housing units for multi family dwelling.**
- c. Proposed measures to reduce or control housing impacts, if any: **None**

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? **Stucco, wood and metal**
- b. What views in the immediate vicinity would be altered or obstructed? **NA**
- c. Proposed measures to reduce or control aesthetic impacts, if any: **NA**

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Landscaping and barriers will mitigate glare from headlights. The time is TBD.**
- b. Could light or glare from the finished project be a safety hazard or interfere with views? **No**
- c. What existing off-site sources of light or glare may affect your proposal? **None**
- d. Proposed measures to reduce or control light and glare impacts, if any: **Landscaping and barriers**

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
None
- b. Would the proposed project displace any existing recreational uses? If so, describe.
None
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
None

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

None

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No studies . No evidence of previous cultural activities

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Proposal is not on, or near, any area known to be culturally sensitive

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Will not impact resources

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Highway I-82, Thayer, Aaron Drive and Lee BLVD

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Yes The plan will include sidewalks and appropriate sign-age which will be pedestrian - friendly

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The lot is .46 of a mile west to the rail system.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

NA

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. **None**

h. Proposed measures to reduce or control transportation impacts, if any: **None**

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. **None**

b. Proposed measures to reduce or control direct impacts on public services, if any. **None**

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Cascade Gas, REA, sewer, water, garbage from City of Richland.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee: _____

Position and Agency/Organization: _____

Date Submitted: _____

Community & Economic Development Department

This application was reviewed by the Planning Division of the Community & Economic Development Department. Any comments or changes made by the Department are entered in the body of the checklist and contain initials of the reviewer.

Reviewer Signature

Date

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Would not increase discharge

Proposed measures to avoid or reduce such increases are: **None**

2. How would the proposal be likely to affect plants, animals, fish, or marine life? **None**

Proposed measures to protect or conserve plants, animals, fish, or marine life are: **None**

3. How would the proposal be likely to deplete energy or natural resources? **None**

Proposed measures to protect or conserve energy and natural resources are: **None**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
There will be no impact

Proposed measures to protect such resources or to avoid or reduce impacts are: **None**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

There will be no impact

Proposed measures to avoid or reduce shoreline and land use impacts are: **None**

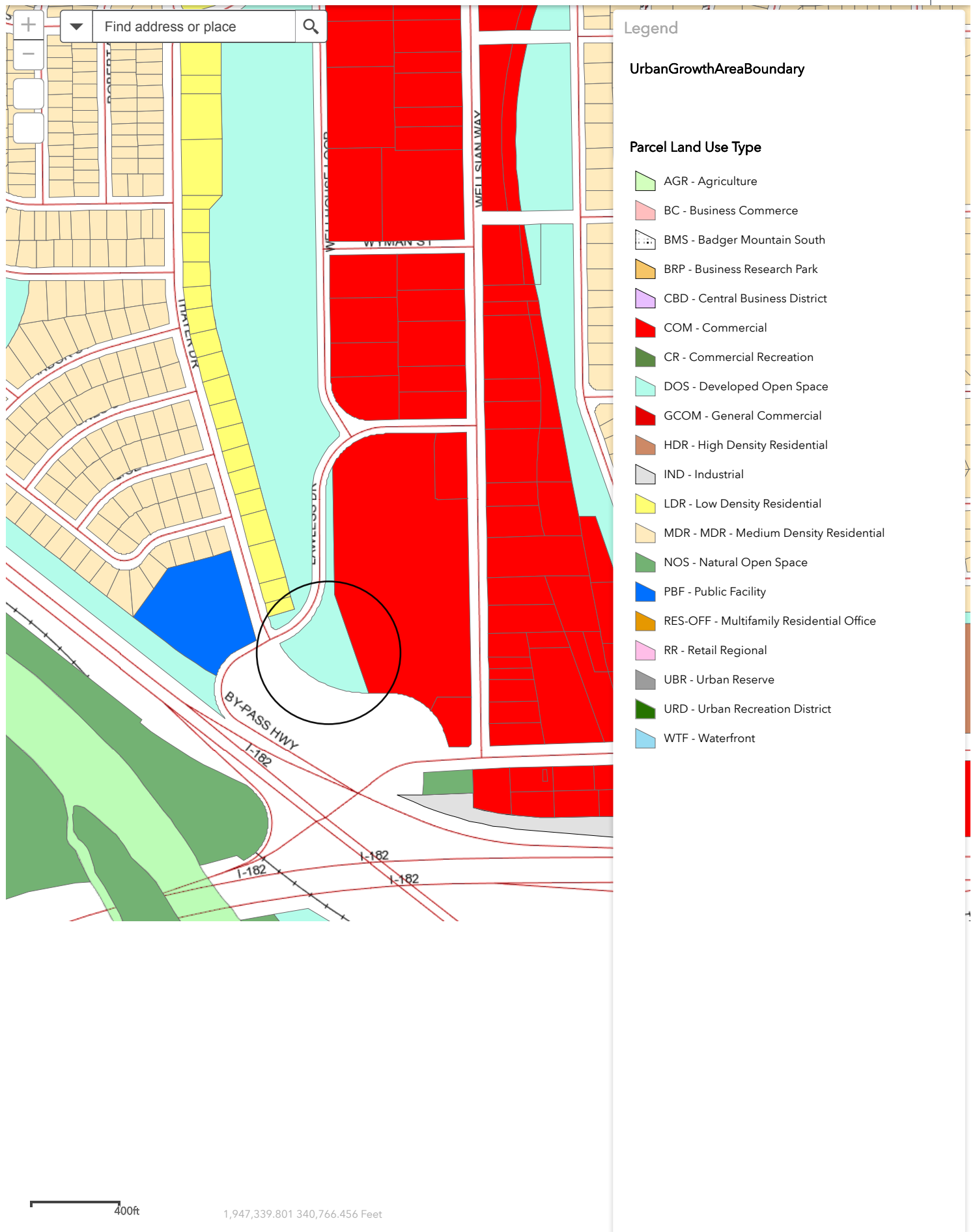
6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Will increase utility use, There will be no major impact to public transportation

Proposed measures to reduce or respond to such demand(s) are: **Energy efficient equipment**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

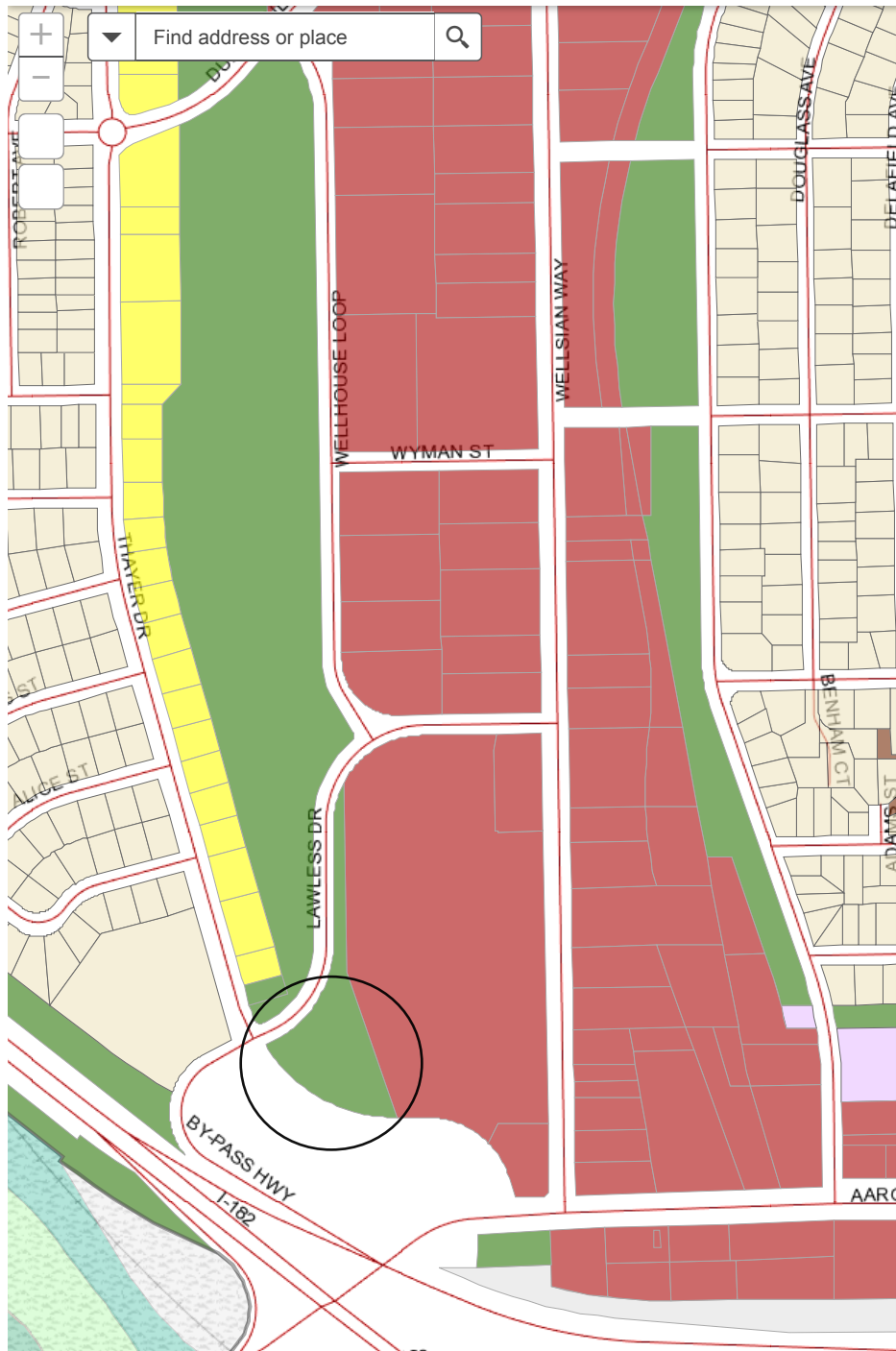
There is no conflict





Zoning Map

Parcel zoning

<https://www.ci.richland.wa.us>

Legend

Flood Zone

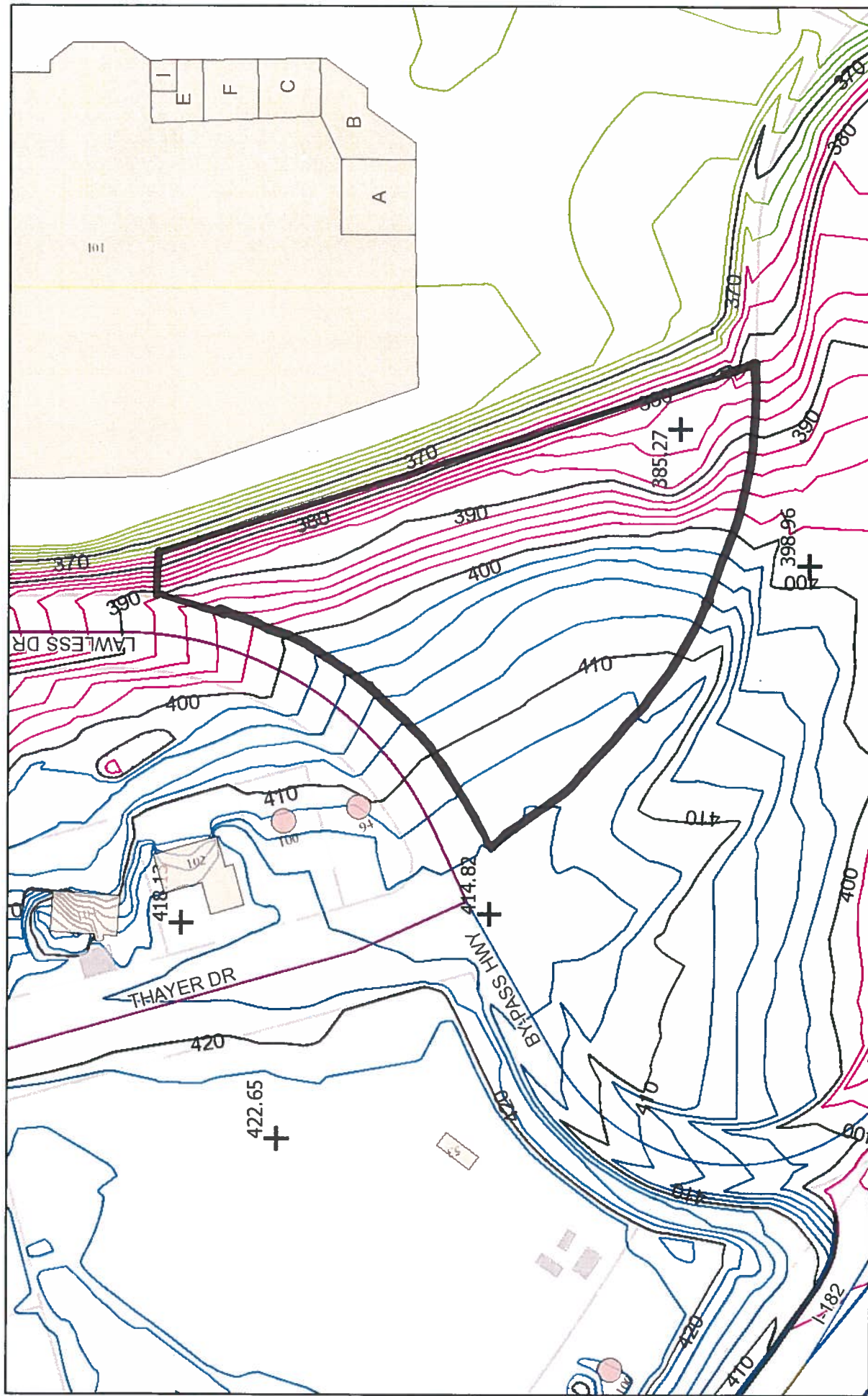


Parcel Zoning

- AG - Agricultural
- BC - Business Commerce
- BRP - Business Research Park
- BMS - Badger Mountain South
- C-1 - Neighborhood Retail Business
- C-2 - Retail Business
- C-3 - General Business
- C-LB - Limited Business
- CBD - Central Business District
- CR - Commercial Recreation
- CW - Commercial Winery
- FP - Flood Plain
- I-M - Medium Industrial
- M-2 - Heavy Manufacturing
- NOS - Natural Open Space
- PPF - Parks & Public Facilities
- PUD - Planned Unit Development
- R-1-10 - Single Family Residential
- R-1-12 - Single Family Residential
- R-2 - Medium Density Residential
- R-2S - Medium Density Residential Small Lot
- R-3 - Multiple Family Residential
- SAG - Suburban Agriculture
- WF - Waterfront

400ft

1,950,640.896 343,994.828 Feet

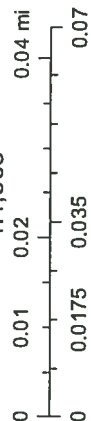


March 5, 2019

- Richland City Limits
- Urban Growth Area
- Richland Airport
- Interstate

Lot 4 SP3592

1:1,365



The City of Richland does not guarantee the accuracy, adequacy, completeness, or usefulness of any information. The City of Richland does not warrant the completeness, timeliness, or positional, thematic, and attribute accuracy of the GIS Data. The appropriate City department should always be contacted for more information.



Comprehensive Plan Amendment Application

☒ Comprehensive Plan Land Use Map

☐ Text of Comprehensive Plan

Note: A Pre-Application meeting is advised prior to submittal of an application

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: **City of Richland: Attn: Shane O'Neill**

Address: **505 Swift Blvd., Richland, WA 99352**

Phone: **(509) 942-7587**

Email: soneill@ci.richland.wa.us

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company:

UBI#

Contact:

Address:

Phone:

Email:

PROPERTY INFORMATION

Legal Description:

See Attached Documentation

Parcel # **Numerous City of Richland owned parcels – See attached**

Current Zoning: **Varies – See attached**

Current Land Use Designation: **Varies – See attached**

GENERAL REQUIREMENTS FOR ALL APPLICATIONS – Attach written statements explaining the following

1. Completed Application and Filing Fee;
2. The purpose of the proposed amendment;
3. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (The goals the Act are listed in 36.70A.020);
4. How the amendment is consistent with the adopted countywide planning policies;
5. How the amendment furthers the purpose of the city's comprehensive plan;
6. How the amendment is internally consistent with the city's comprehensive plan, as well as other adopted city plans and codes;
7. If applicable, how the project will meet concurrency requirements for transportation;
8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
9. **Comprehensive Plan TEXT AMENDMENT applications must also include;**
 - a. The proposed element, chapter, section and page number of the comp plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
10. **Comprehensive Plan MAP AMENDMENT applications must also include;**
 - a. The current land use map designation for the subject parcel(s).
 - b. The land use map designation requested.
 - c. A complete legal description describing the combined area of the subject parcel(s)
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All road abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
 - iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable

- v. The location of existing utilities serving the subject parcels including electrical, water and sewer;
 - vi. The location and uses of existing structures located on the subject parcel(s);
- e. Topographical map of the subject parcels and abutting properties at a scale of a minimum of one inch represents 200 feet (1:200);
- f. The current official zoning map designation for the subject parcel(s);
- g. A detailed plan which indicates any proposed improve
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- h. A corresponding zoning map amendment application, where necessary to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- i. A description of any associated development proposals. Development proposals shall not be processed concurrent with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the city's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the city will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The city shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

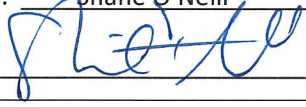
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

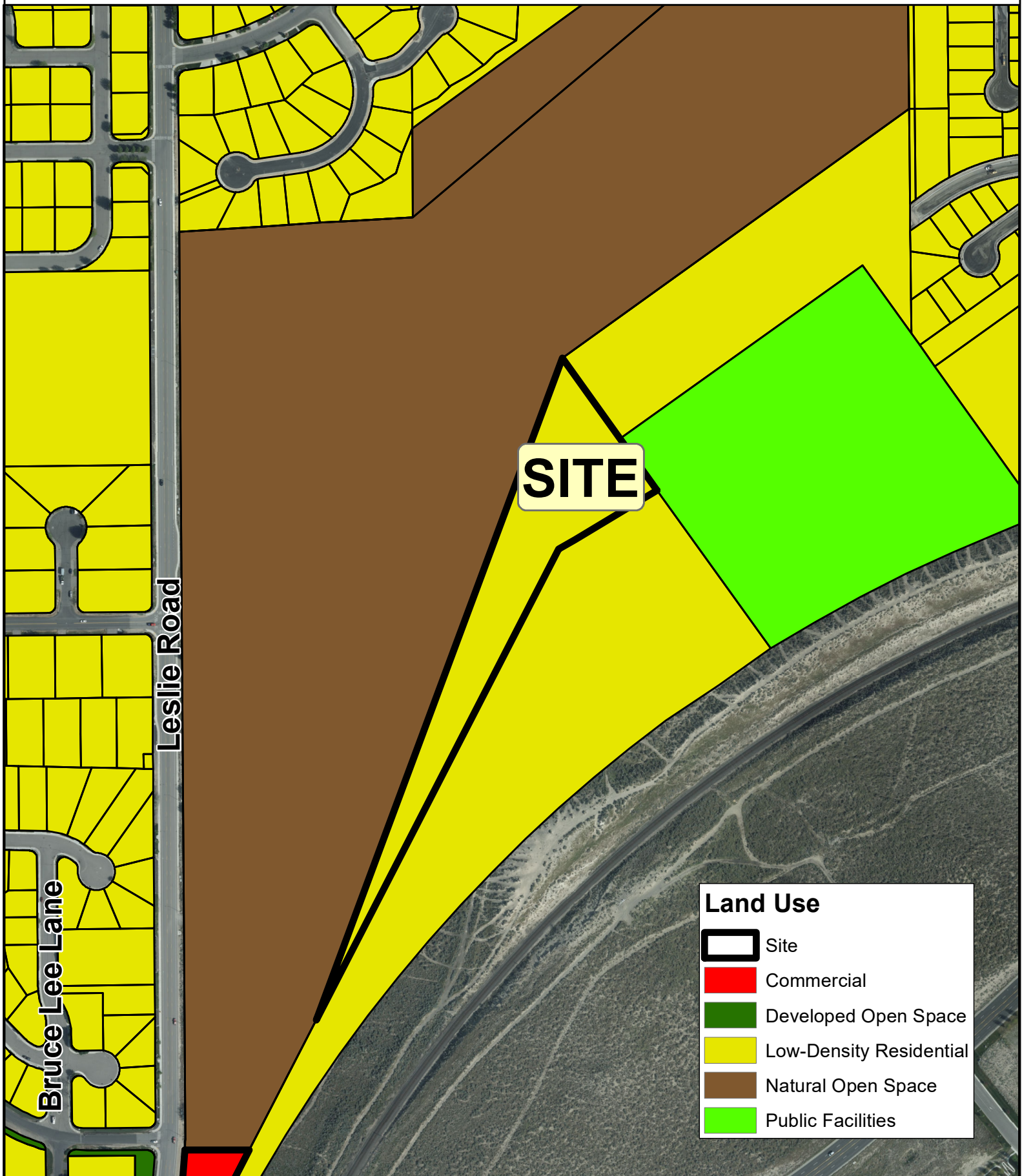
Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Shane O'Neill

Applicant Signature:  Date February 25, 2019

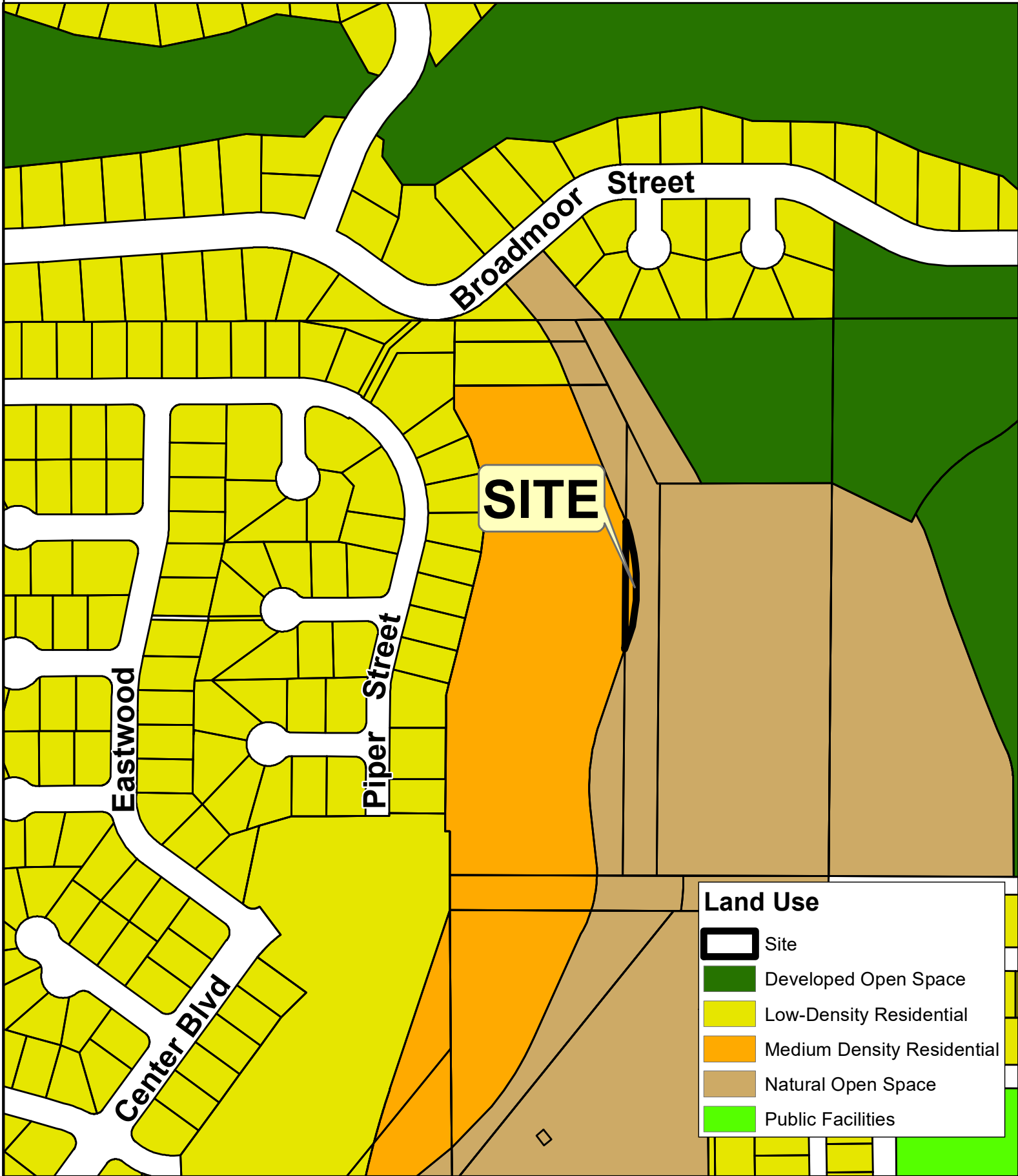
Vicinity Map

Amon Preserve East
(From Low-Density Res. to NOS)



Vicinity Map

Amon Preserve North
(From Med.-Density Res. to NOS)



Vicinity Map

Amon Preserve South (From Commercial to NOS)

N



Lorayne J Blvd

Leslie Road

Bruce Lee Lane

SITE

Railline

W. Clearwater Ave

Land Use



Site



Commercial



Developed Open Space



Low-Density Residential



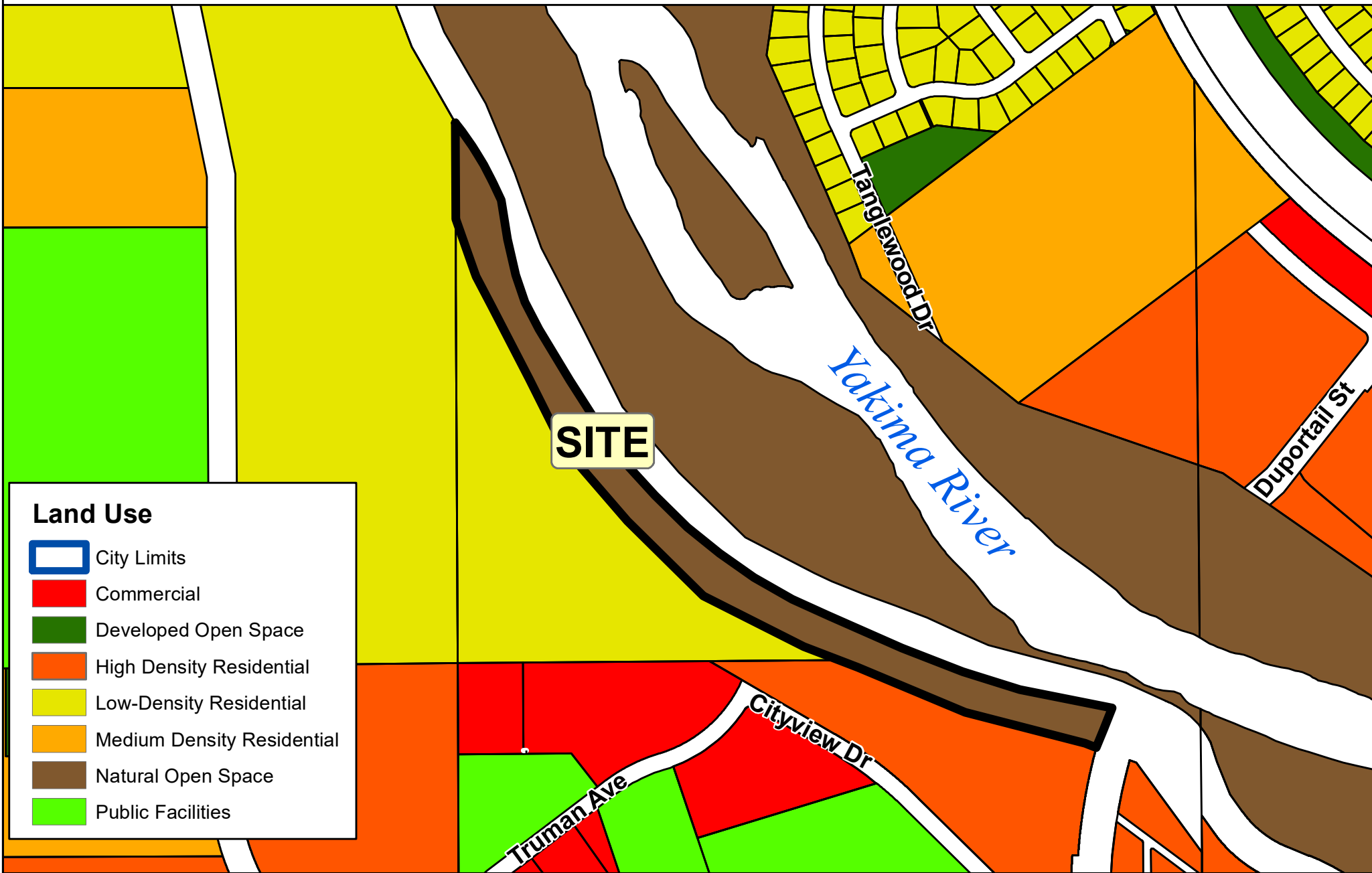
Natural Open Space



Public Facilities

Vicinity Map

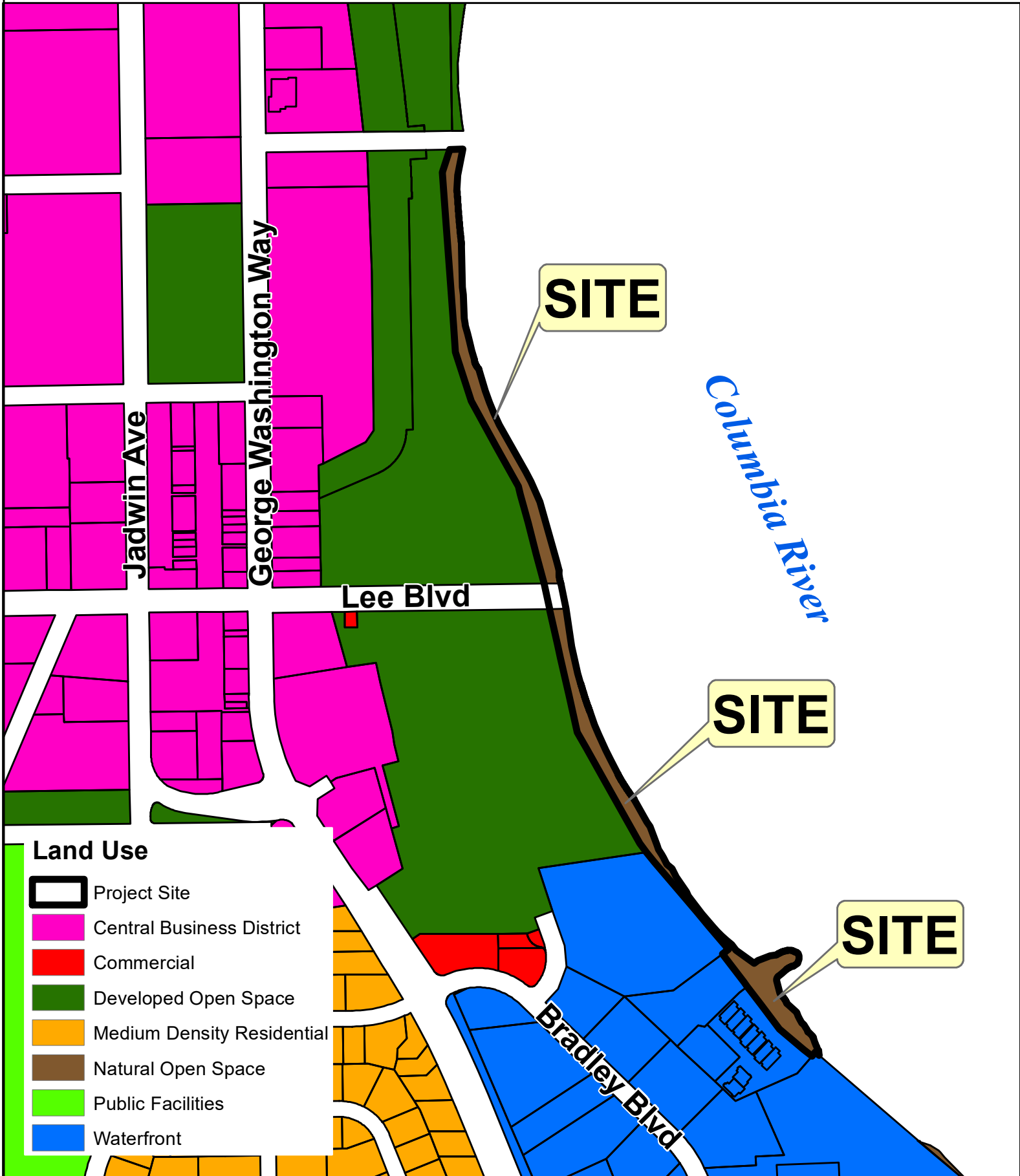
C.I.D. Right-of-Way (Remove NOS Designation)



Vicinity Map

Howard Amon
(From NOS to DOS)

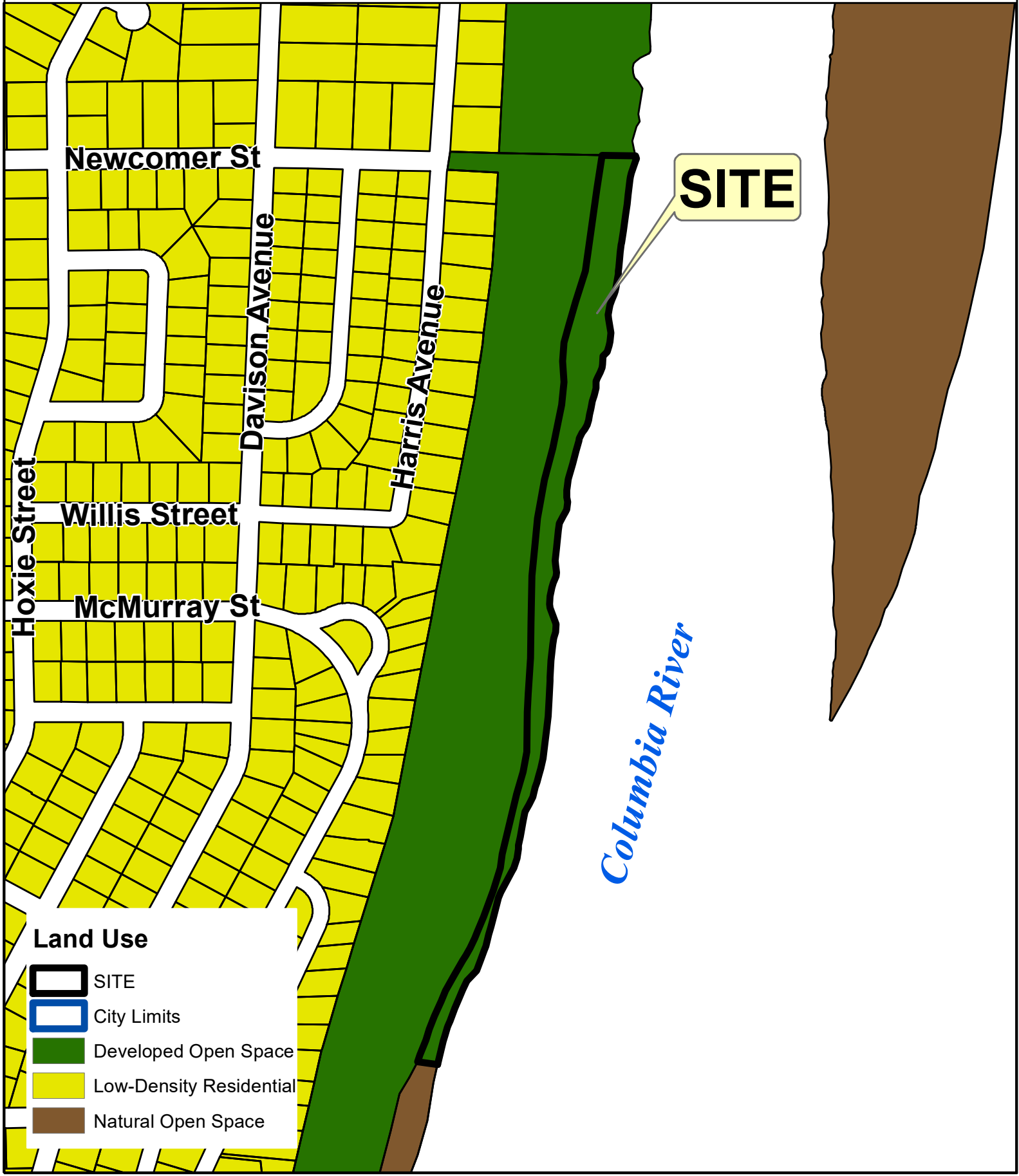
N



Vicinity Map

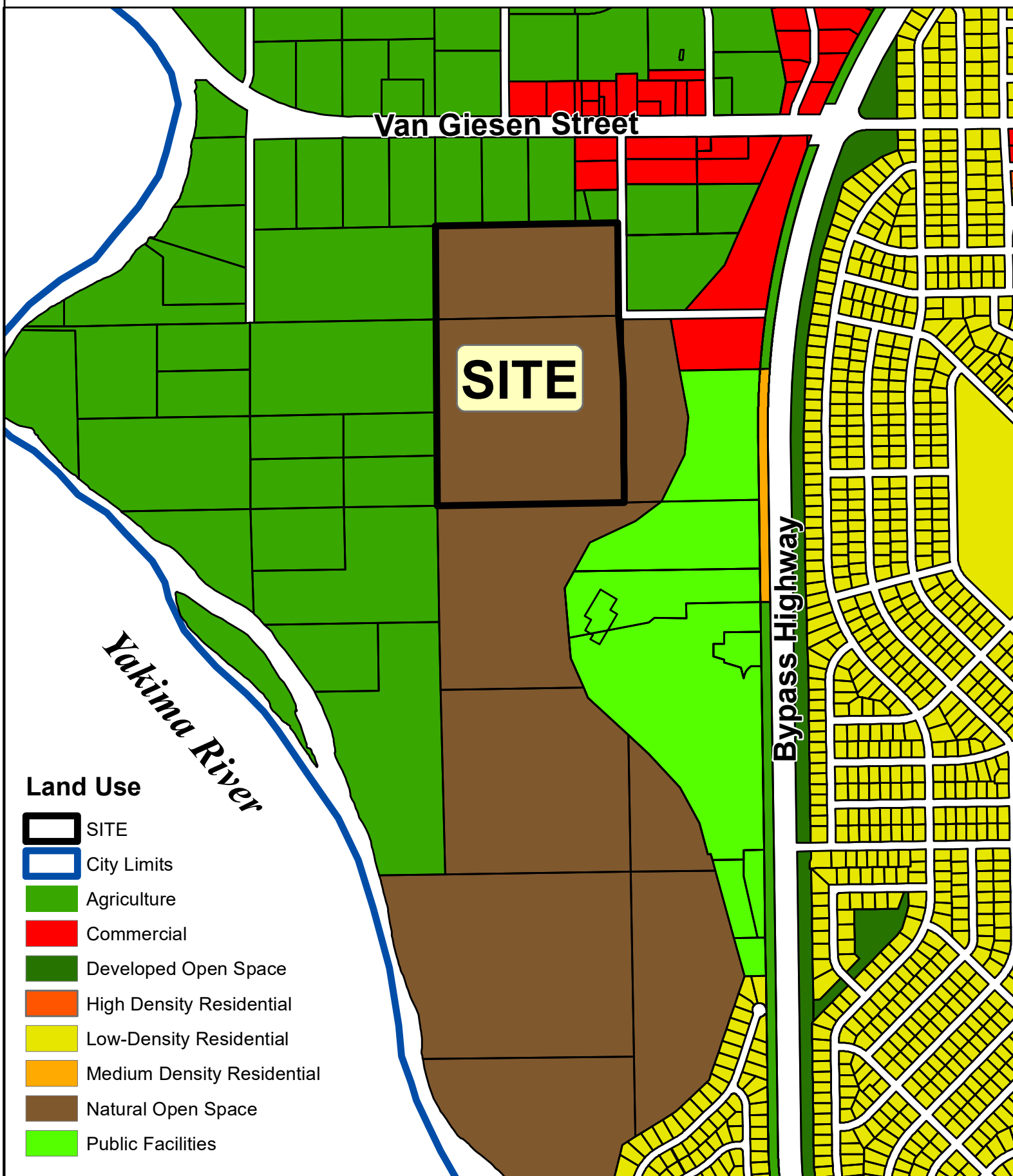
Leslie Groves
(From DOS to NOS)

N



Vicinity Map

W.E. Johnson Park (From NOS to DOS)





Zoning Map/Text Amendment Application

Note: A Pre-Application meeting is advised prior to submittal of an application

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: **City of Richland: Attn: Shane O'Neill**

Address: **505 Swift Blvd., Richland, WA 99352**

Phone: **(509) 942-7587**

Email: soneill@ci.richland.wa.us

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company:

UBI#

Contact:

Address:

Phone:

Email:

DESCRIPTION OF WORK

Amend the City's Zoning Map on various City-owned properties to match and implement the existing City Comprehensive Plan and Land Use Map. See Attachments for details and specific locations.

PROPERTY INFORMATION

Parcel #: **Varies – see Attachment**

Legal Description: **Varies – see Attachment**

Current Zoning: **Varies – see Attachment**

Current Comp Plan: **Varies – see Attachment**

Requested Zoning: **Varies – see Attachment**

Current Use: **City - Recreational Land**

Proposed Use: **Varies – See Attachment**

Area of Property: **Varies – see Attachment**

APPLICATION MUST INCLUDE

1. Completed Application and Filing Fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

ANSWER QUESTIONS AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:

The City of Richland is proposing to amend the zoning map in various locations in order to be consistent with the underlying Comprehensive Plan Land Use Map.

Any hardship that may result in the event the rezone is not granted:

Failure to amend the zoning map will not accurately reflect the desires of the city and will fail to implement the Comprehensive Plan and its Land Use Map.

The manner in which the proposed rezone conforms to patterns in adjacent zones:

The proposed zoning changes will accurately implement the City's Land Use Plan and will be consistent with the zoning on adjacent parcels.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:

Approving the proposed zoning map amendments will not have a detrimental impact on adjacent or surrounding land uses or zoning districts. Ultimately, the intent of the City's Comprehensive Plan will be fully implemented.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:

Approving the proposed zoning map amendments will fully implement the City's Comprehensive Plan.

The benefits or detriments accruing to the city which would result from the granting or denial of this special permit:

Benefits would be environmental protection primarily as the majority of the proposed zoning map changes result in a match with the City's Comprehensive Plan, Critical Areas Ordinance and Shoreline Master Program. No detriments are expected.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:

The proposed zoning map amendments will accurately reflect the requirements of the City's Comprehensive Plan and Land Use Map.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:

The proposed zoning map changes do not result in spot zoning.

Identify impacts on the environment and public safety:

No detrimental impacts to the environment or public safety are anticipated. In fact, amending the zoning map in the various locations will likely result in increased environmental protection to sensitive/critical areas.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

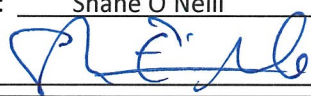
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

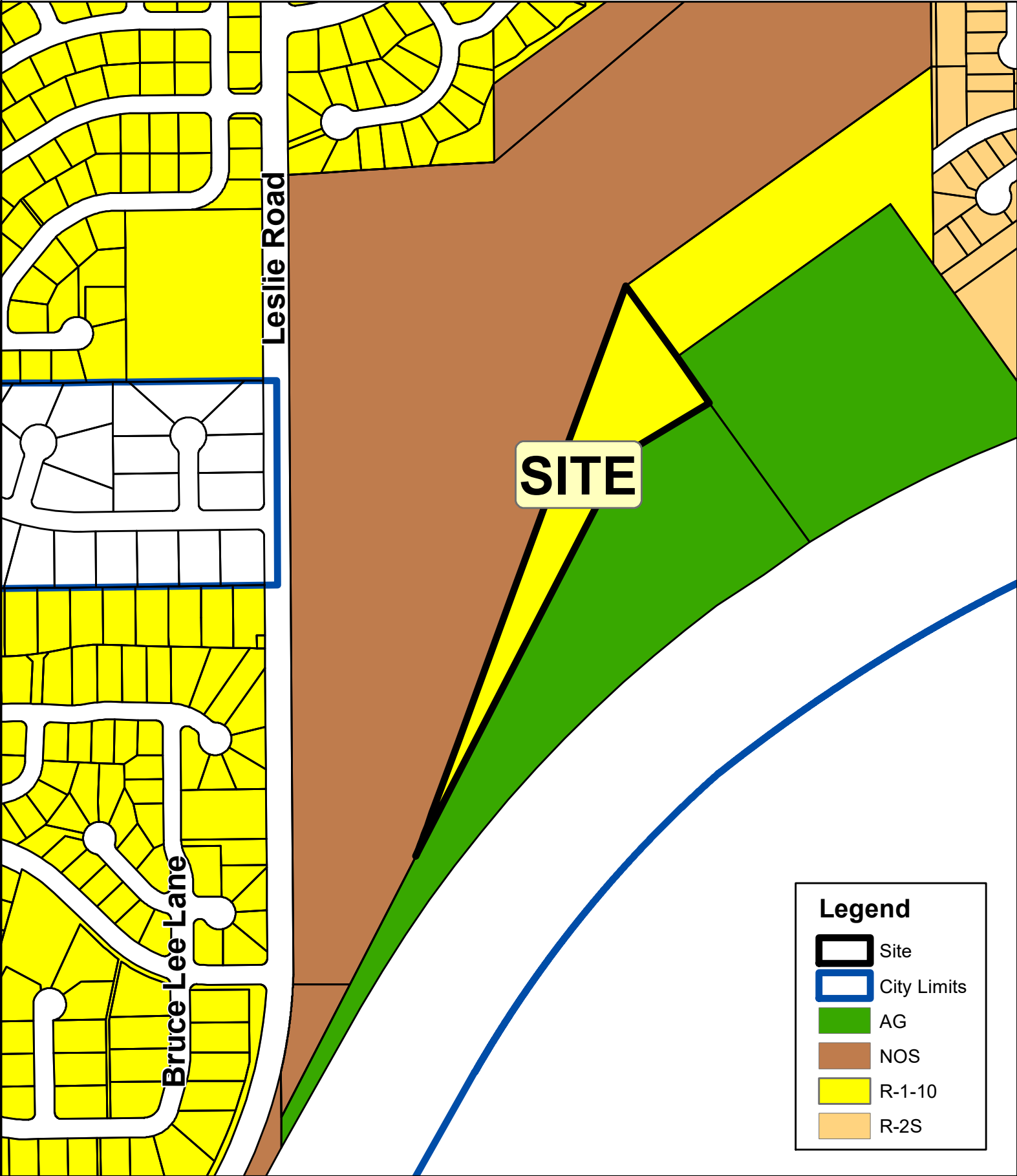
Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Shane O'Neill

Applicant Signature:  Date February 25, 2019

Zoning Map

Amon Preserve East (From R-1-10 to NOS)



SITE

Legend

 Site

 City Limits

 AG

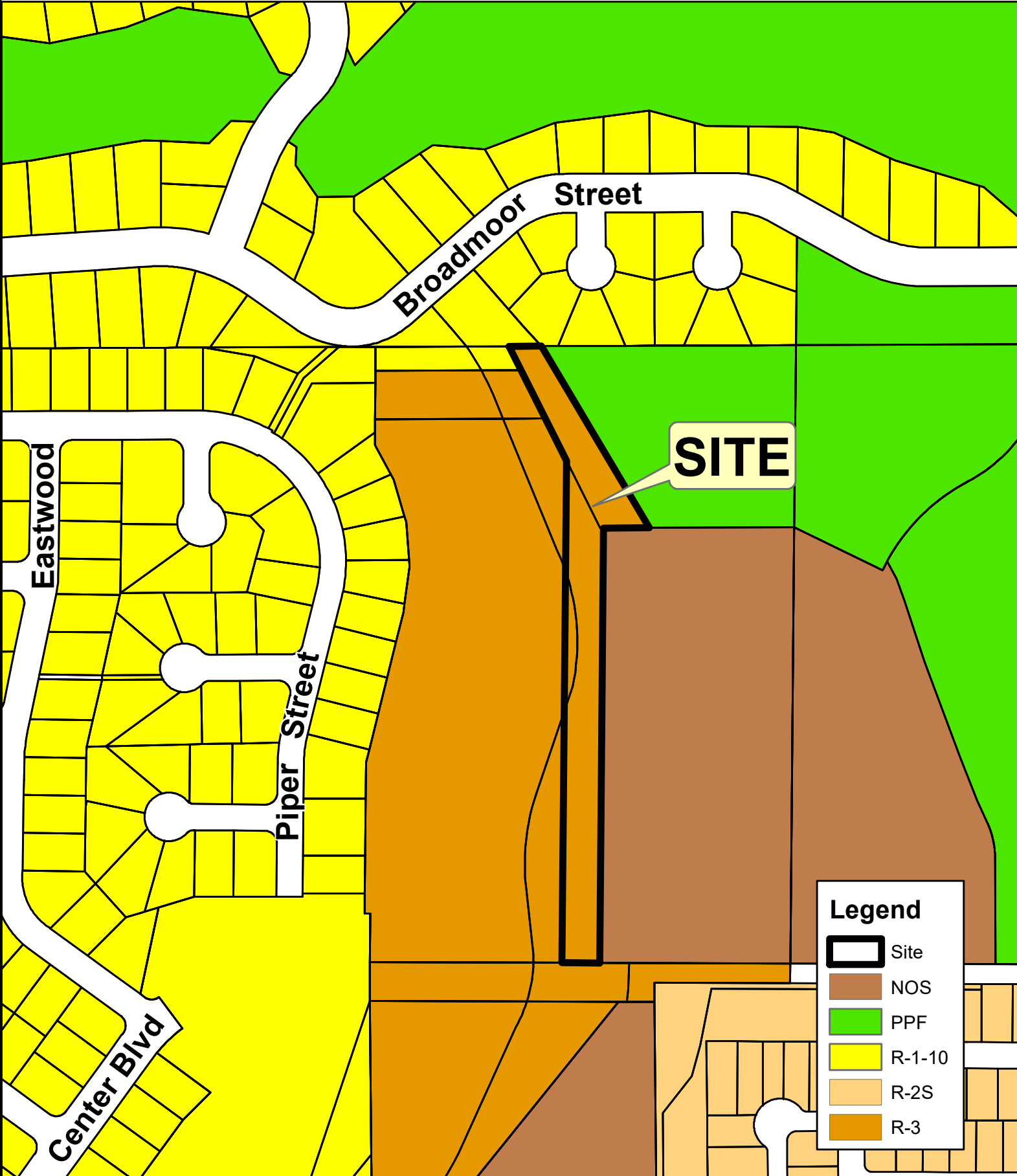
 NOS

 R-1-10

 R-2S

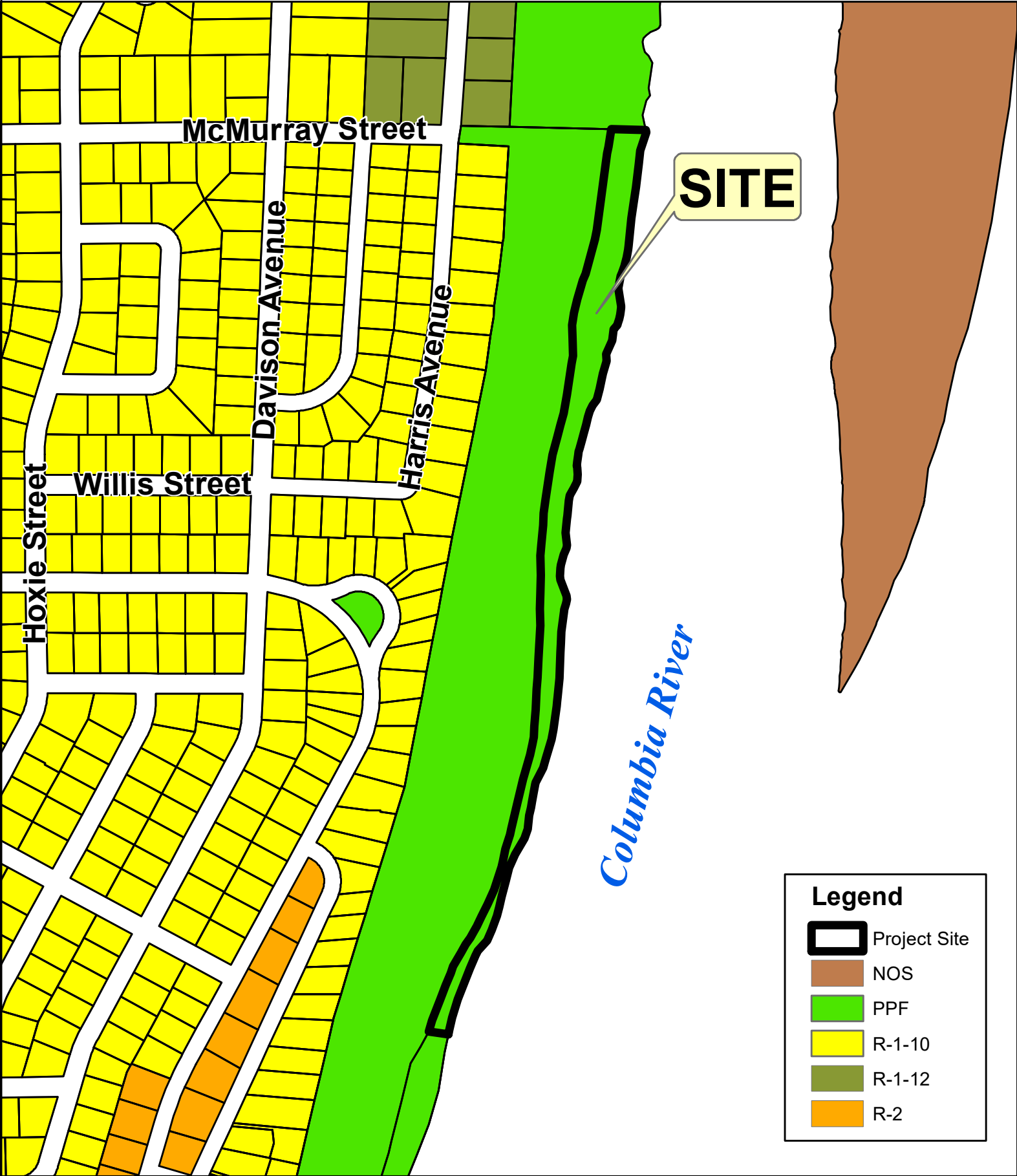
Zoning Map

Amon Preserve North (From R-3 to NOS)



Zoning Map

Leslie Groves (From PPF to NOS)

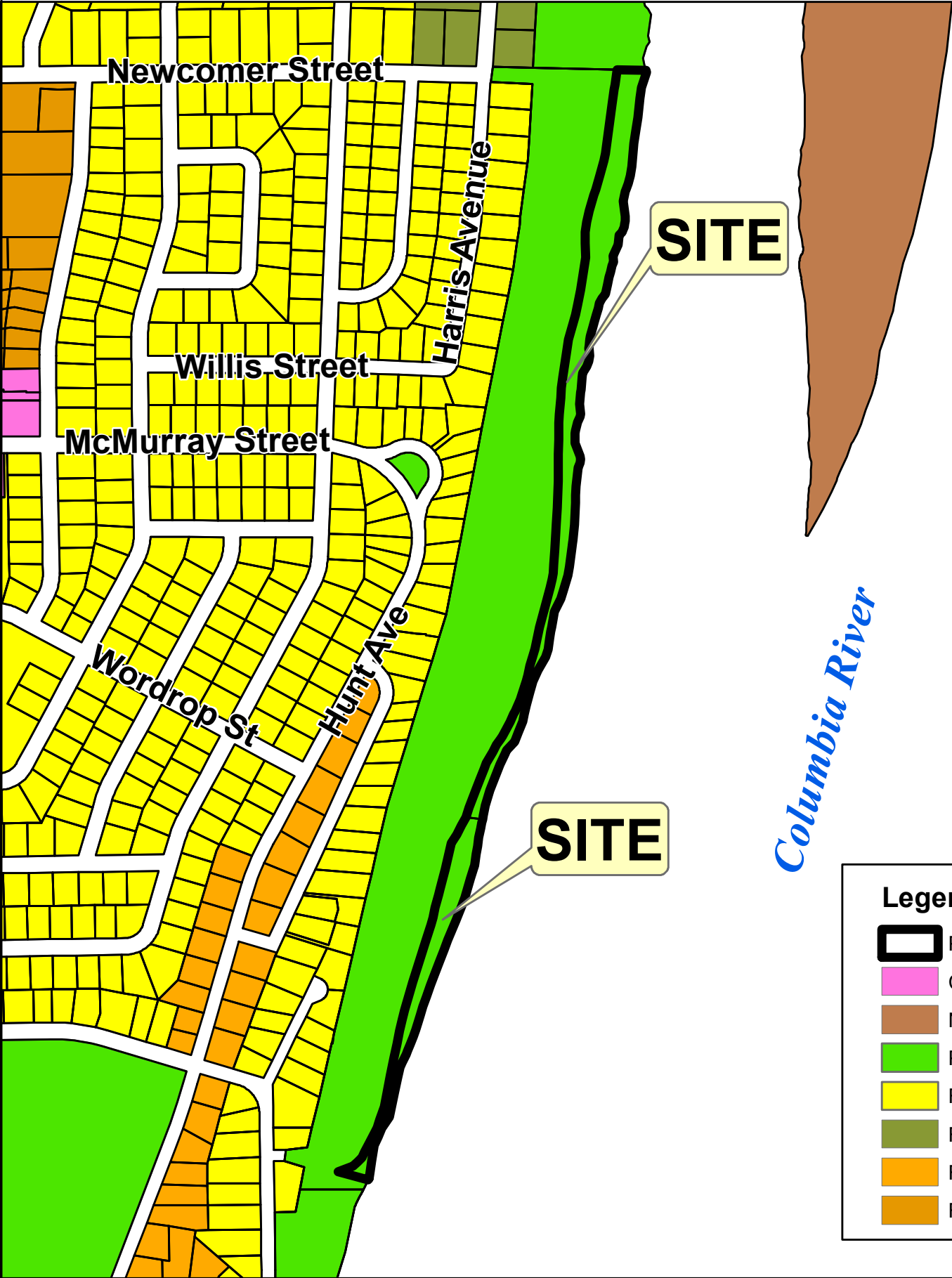


Legend

-  Project Site
-  NOS
-  PPF
-  R-1-10
-  R-1-12
-  R-2

Zoning Map

Leslie Groves (From PPF to NOS)



Columbia River

Legend

 Project Site

 C-1

 NOS

 PPF

 R-1-10

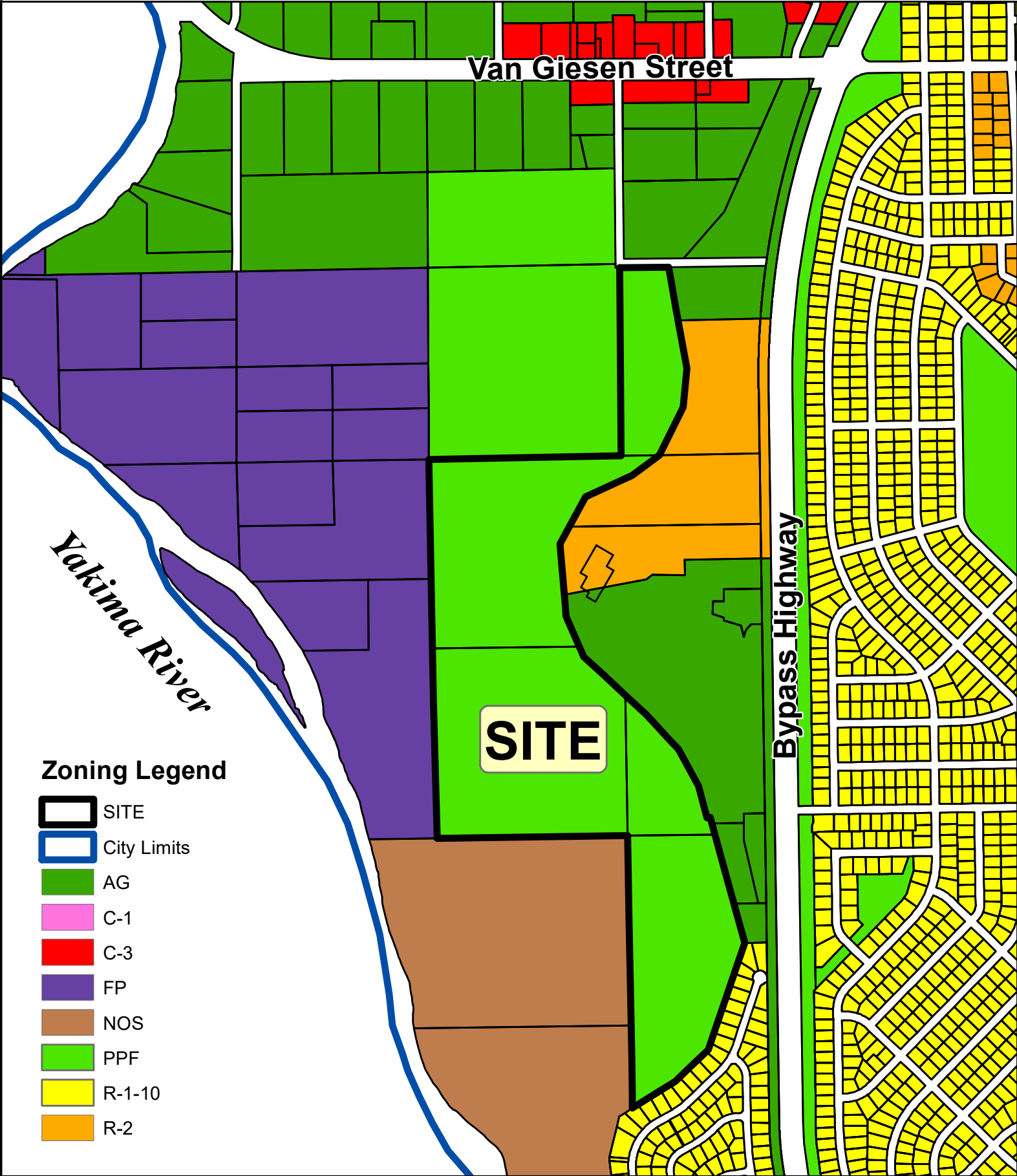
 R-1-12

 R-2

 R-3

Zoning Map

W.E. Johnson Park (From PPF to NOS)



SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable: **City of Richland Zoning Map and Land Use Map amendments.**
2. Name of applicant: **Shane O'Neill, Senior Planner**

3. Address and phone number of applicant and contact person: **City of Richland Development Services, 505 Swift Blvd. MS-35, Richland, WA 99352**
4. Date checklist prepared: **February 24, 2019**
5. Agency requesting checklist: **City of Richland Development Services (Planning Division)**
6. Proposed timing or schedule (including phasing, if applicable): **Upon adoption by City of Richland City Council, Fall 2019.**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **No, these are stand alone map amendments.**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **None other than this SEPA Checklist. The original City of Richland Comprehensive Plan and Zoning Code were prepared through an EIS process.**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. **N/A as this is map amendments only.**
10. List any government approvals or permits that will be needed for your proposal, if known. **The proposed text amendments will need to be adopted via ordinance by the City Council.**
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) **Proposed map amendment to the City's Zoning Map and Comprehensive Plan Land Use Map to ensure consistency.**
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. **The proposed map amendments will apply to specific city owned properties that are used for recreational purposes.**

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

- a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____
N/A as this is for map amendments only. However, the city contains areas which meet each of the descriptions above.

- b. What is the steepest slope on the site (approximate percent slope)? **N/A as this is for map amendments only.**
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. **N/A as this is for map amendments only.**
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **N/A as this is for map amendments only.**
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. **N/A as this is for map amendments only.**
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **N/A as this is for map amendments only.**
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **N/A as this is for map amendments only.**
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: **N/A as this is for map amendments only.**

2. Air [\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. **N/A as this is for map amendments only.**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **N/A as this is for map amendments only.**
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: **N/A as this is for map amendments only.**

3. Water [\[help\]](#)

a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. **N/A as this is for map amendments only. However, the City of Richland is located adjacent to the Columbia and Yakima Rivers.**

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. **N/A as this is for map amendments only.**
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. **N/A as this is for map amendments only.**
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. **N/A as this is for map amendments only.**
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. **N/A as this is for map amendments only. However, there are areas within the city that are located within the 100-year floodplain. Accessory structures within floodplain areas will be required to comply with the requirements of the city's Flood Damage Prevention Ordinance and Critical Areas Ordinance.**
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. **N/A as this is for map amendments only.**

b. Ground Water: [\[help\]](#)

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. **N/A as this is for map amendments only.**
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. **N/A as this is for map amendments only.**

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. **N/A as this is for map amendments only.**
- 2) Could waste materials enter ground or surface waters? If so, generally describe. **N/A as this is for map amendments only.**

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **N/A as this is for map amendments only.**

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: **N/A as this is for map amendments only.**

4. **Plants** [\[help\]](#)

a. Check the types of vegetation found on the site: **N/A as this is for map amendments only. However, a variety of shrub-steppe and other types of vegetation can be found throughout the city.**

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☐ shrubs
- ☐ grass
- ☐ pasture
- ☐ crop or grain
- ☐ Orchards, vineyards or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered? **N/A as this is for map amendments only.**

c. List threatened and endangered species known to be on or near the site. **N/A as this is for map amendments only. However, the City's Municipal Code has provisions for the protection of threatened and endangered species which will have to be complied with for any new residential accessory structure permit approval.**

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **N/A as this is for map amendments only.**

e. List all noxious weeds and invasive species known to be on or near the site. **N/A as this is for map amendments only.**

5. **Animals** [\[help\]](#)

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. **N/A as this is for map amendments only. However, many different types of birds, mammals and fish live within or near the city.**

Examples include:

- birds: hawk, heron, eagle, songbirds, other:
- mammals: deer, bear, elk, beaver, other:
- fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site. **N/A as this is for map amendments only.**

c. Is the site part of a migration route? If so, explain. **The City of Richland is located within the Mid-Columbia Flyway.**

d. Proposed measures to preserve or enhance wildlife, if any: **N/A as this is for map amendments only.**

e. List any invasive animal species known to be on or near the site. **N/A as this is for map amendments only.**

6. Energy and Natural Resources [\[help\]](#)

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. **N/A as this is for map amendments only.**

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. **N/A as this is for map amendments only.**

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

7. Environmental Health [\[help\]](#)

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. **N/A as this is for map amendments only.**

1) Describe any known or possible contamination at the site from present or past uses.
N/A as this is for map amendments only.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.
N/A as this is for map amendments only.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.
N/A as this is for map amendments only.

4) Describe special emergency services that might be required.
N/A as this is for map amendments only.

5) Proposed measures to reduce or control environmental health hazards, if any:
N/A as this is for map amendments only.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **N/A as this is for map amendments only.**
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. **N/A as this is for map amendments only.**
- 3) Proposed measures to reduce or control noise impacts, if any: **N/A as this is for map amendments only.**

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. **N/A as this is for map amendments only.**
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? **N/A as this is for map amendments only.**
 - 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: **N/A as this is for map amendments only.**
- c. Describe any structures on the site. **N/A as this is for map amendments only. However, there are thousands of different structures located within the city limits.**
- d. Will any structures be demolished? If so, what? **N/A as this is for map amendments only.**
- e. What is the current zoning classification of the site? **N/A as this is for map amendments only. The City has a number of different zoning classifications ranging from agriculture, residential, commercial, industrial and open space.**
- f. What is the current comprehensive plan designation of the site? **N/A as this is for map amendments only. However, the City has a number of different land use classifications ranging from Agriculture, residential, commercial, industrial, urban reserve, public facility and open space.**
- g. If applicable, what is the current shoreline master program designation of the site? **N/A as this is for map amendments only. Portions of the city are located within the jurisdiction of the Shoreline Master Program; However, this text amendment in and of itself does not result in any physical alterations of the land.**

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. **N/A as this is for map amendments only. However, different areas of the city are regulated by the City's Critical Areas Ordinance.**

i. Approximately how many people would reside or work in the completed project? **N/A as this is for map amendments only.**

j. Approximately how many people would the completed project displace? **N/A as this is for map amendments only.**

k. Proposed measures to avoid or reduce displacement impacts, if any: **N/A as this is for map amendments only.**

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: **N/A as this is for map amendments only.**

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: **N/A as this is for map amendments only.**

9. Housing [\[help\]](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. **N/A as this is for map amendments only.**

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. **N/A as this is for map amendments only.**

c. Proposed measures to reduce or control housing impacts, if any: **N/A as this is for map amendments only.**

10. Aesthetics [\[help\]](#)

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? **N/A as this is for map amendments only.**

b. What views in the immediate vicinity would be altered or obstructed? **N/A as this is for map amendments only.**

c. Proposed measures to reduce or control aesthetic impacts, if any: **N/A as this is for map amendments only.**

11. Light and Glare [\[help\]](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **N/A as this is for map amendments only.**

b. Could light or glare from the finished project be a safety hazard or interfere with views? **N/A as this is for map amendments only.**

c. What existing off-site sources of light or glare may affect your proposal? **N/A as this is for map amendments only.**

d. Proposed measures to reduce or control light and glare impacts, if any: **N/A as this is for map amendments only.**

12. Recreation [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity? **N/A as this is for map amendments only. However, the City of Richland has a number of different recreational opportunities including city parks, commercial recreational establishments (theaters, museums, etc.), golf courses, riverfront areas (Columbia River & Yakima River) and eating/drinking establishments.**

b. Would the proposed project displace any existing recreational uses? If so, describe. **N/A as this is for map amendments only.**

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: **N/A as this is for map amendments only.**

13. Historic and cultural preservation [\[help\]](#)

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe. **N/A as this is for map amendments only.**

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. **N/A as this is for map amendments only.**

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. **N/A as this is for map amendments only.**

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. **N/A as this is for map amendments only.**

14. Transportation [\[help\]](#)

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. **N/A as this is for map amendments only.**

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? **N/A as this is for map amendments only.**

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? **N/A as this is for map amendments only.**

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). **N/A as this is for map amendments only.**

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. **N/A as this is for map amendments only.**

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? **N/A as this is for map amendments only.**

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. **N/A as this is for map amendments only.**

h. Proposed measures to reduce or control transportation impacts, if any: **N/A as this is for map amendments only.**

15. Public Services [\[help\]](#)

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. **N/A as this is for map amendments only.**

b. Proposed measures to reduce or control direct impacts on public services, if any. **N/A as this is for map amendments only.**

16. Utilities [\[help\]](#)

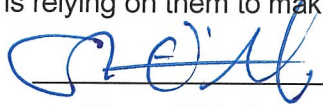
a. Circle utilities currently available at the site: **N/A as this is for map amendments only.**
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. **N/A as this is for map amendments only.**

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____



Name of signee Shane O'Neill

Position and Agency/Organization Senior Planner

Date Submitted: February 24, 2019

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.**

Proposed measures to avoid or reduce such increases are: **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.**

2. How would the proposal be likely to affect plants, animals, fish, or marine life? **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.**

Proposed measures to protect or conserve plants, animals, fish, or marine life are: **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the**

overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.

3. How would the proposal be likely to deplete energy or natural resources? **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.**

Proposed measures to protect or conserve energy and natural resources are: **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.**

Proposed measures to protect such resources or to avoid or reduce impacts are: **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.**

Proposed measures to avoid or reduce shoreline and land use impacts are: **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.**

6. How would the proposal be likely to increase demands on transportation or public services and utilities? **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.**

Proposed measures to reduce or respond to such demand(s) are: **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. **N/A as this is for map amendments only. The proposal consists of amending the official Zoning Map and/or Comprehensive Plan Land Use Map to be consistent with the overall goals and vision of the City. These changes are being done in order to make the Zoning and Land Use Maps consistent with each other as required by state law.**



Planning & Development Services Division • Long-Range Planning Section
840 Northgate Drive • Richland, WA 99352
General Information: 509/942-7794 • Fax: 509/942-7764

PETITION TO AMEND COMPREHENSIVE PLAN
(Including City Staff Comprehensive Plan Amendment Checklist)

Applicant or Sponsor <u>City of Richland s/o Joe Schiessl</u>			
Address <u>505 Swift Blvd.</u>		City <u>Richland</u>	State <u>Wa</u> Zip <u>99352</u>
Phone Number <u>942-7578</u>	Fax Number <u>n/a</u>	Other/E-Mail Address <u>jschiessl@ci.richland.wa.us</u>	
Engineer/Architect Information (if applicable)			
Engineer/Architect <u>n/a</u>		Registration/License Number	
Address		City	State Zip
Phone Number	Fax Number	Other/E-Mail Address	

Proposed Plan Amendment: Please indicate type of amendment and its location within the Comprehensive Plan:

- ☐ Text Amendment: Element _____ Section _____ Subsections _____
- ☒ Map Amendment: Element LU Map Number LU-1

Describe your Proposed Amendment (provide suggested new language): use additional sheets as necessary.

Parcel No: 1-34081000029000, located at the SE corner of Jadwin Ave & Stevens Dr. is currently undesignated. The site is the future location of Fire Station #73. Proposed designation: Public Facility.

Describe why the amendment should be made and why it is in the public interest (e.g., correcting an error, improving consistency, addressing a need that is currently lacking, etc.)

It is the intent of the City to provide a land use designation for all legal parcels in the City. 1-34081000029000 is currently undesignated. PF is consistent with the area and will support the development of a fire station on the site.

Describe how the current language or map designation affects you or your property.

The current map designation is best described as "undesignated" and is colorless on the land use map of the Comprehensive Land Use Plan. A designation of "Public Facility" will support the development of a fire station and will be compatible with the area.

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COMPLETE.

DATED THIS 13th DAY OF Sept., 20 18.

[Signature]
Applicant's Signature

505 Swift Blvd
Address
Richland, Wa 99352
City, State, Zip
942.7578
Phone

Applicant's Signature

Address

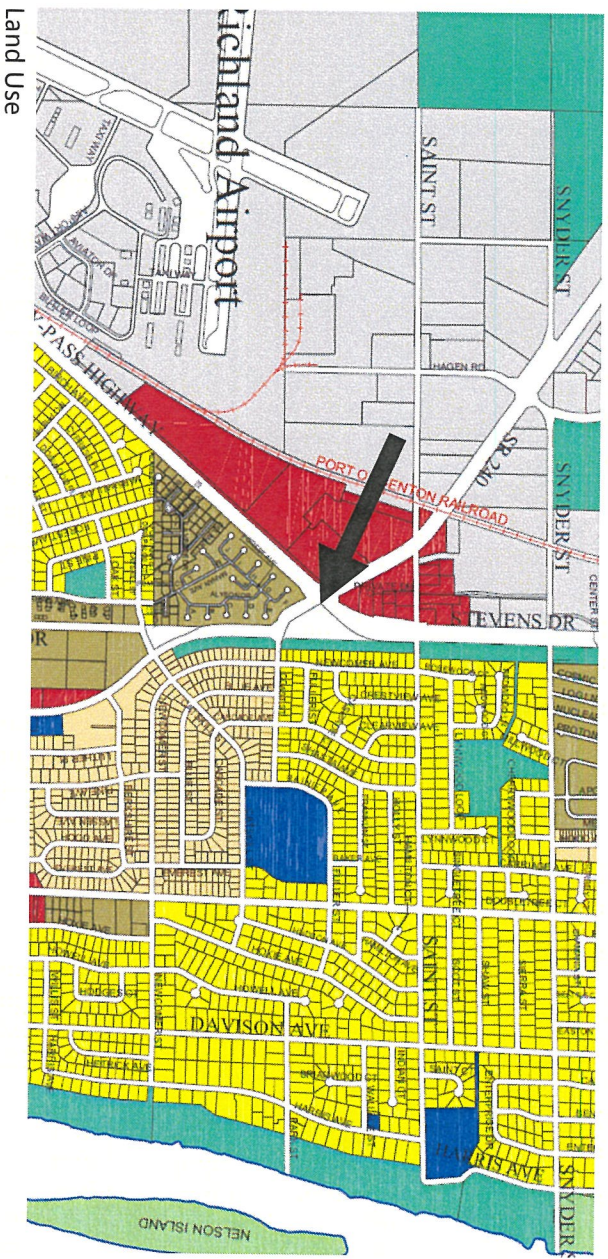
City, State, Zip

Phone

FOR OFFICE USE ONLY

Please provide the following with your Comprehensive Plan Amendment Application:

- Ownership Report from Title Company Listing Owners Within 300' of the subject property
- SEPA Checklist, if applicable
- Complete Legal Description of Affected Property
- Application Fee



Land Use



Vicinity



Looking North



Looking South

A. BACKGROUND

1. Name of proposed project, if applicable: Fire Station #73
2. Name of applicant: City of Richland c/o Joe Schiessl
3. Applicant contact information:
Address: 505 Swift Blvd.
Richland, wa 99352
Phone #: 942.7578
email address: jschiessl@ci.richland.wa.us
4. Date checklist prepared: Sept. 13, 18
5. Agency requesting checklist: City of Richland
6. Proposed timing or schedule (including phasing, if applicable):
Land use: 2018. Planning: 2019. Construction: 2020.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
none known.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
none known.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
none known.
10. List any government approvals or permits that will be needed for your proposal, if known.
Land use initial designation. Building permit.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
Parcel No: 1-34081000029000, 89,100^{sq} ft. Currently undeveloped. Develop as an approx. 30,000 fire station w/ associated, auxiliary public safety elements and site circulation and parking.
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.
Site is not addressed. Located at the SE corner of Tadwin Ave & Stevens Dr.

...location cont'd:

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)? Zero %

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. Sandy loam

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. no

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

no fill. minimal grading to accommodate fire station footing & foundation and stormwater management.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. none anticipated. The building permit will require an erosion control plan.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? 60%.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Project will meet all air, water and storm requirements.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. Typical construction equipment operating legally w/ engine technology applicable to year of equipment.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. none known.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Meet all clean air authority requirements and comply as necessary.

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

no

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

no

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

none

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

no

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

no

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

no

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

no

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

none

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater will be collected and managed onsite.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

no

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

NO

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

A stormwater plan will be prepared by a licensed engineer for review and approval by the City.

4. Plants

a. Check the types of vegetation found on the site:

- ___deciduous tree: alder, maple, aspen, other
- ___evergreen tree: fir, cedar, pine, other
- ___shrubs
- ___grass
- ___pasture
- ___crop or grain
- ___Orchards, vineyards or other permanent crops.
- ___wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ___water plants: water lily, eelgrass, milfoil, other
- ___other types of vegetation

Site is unvegetated, except for noxious weeds

b. What kind and amount of vegetation will be removed or altered?

There is no vegetation on the site. It has been sterilized for many decades. Noxious weeds occasionally present.

c. List threatened and endangered species known to be on or near the site.

None known.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

A landscape plan will be developed by a licensed landscape architect and be reviewed against city landscape requirements.

e. List all noxious weeds and invasive species known to be on or near the site.

Sparse amounts of cheat grass and tumbleweeds, and other noxious weeds.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: none observed.

birds: hawk, heron, eagle, songbirds, other: _____

mammals: deer, bear, elk, beaver, other: _____

fish: bass, salmon, trout, herring, shellfish, other: _____

- b. List any threatened and endangered species known to be on or near the site.

None Known.

- c. Is the site part of a migration route? If so, explain.

Yes, Richland is within the Pacific Flyway.

- d. Proposed measures to preserve or enhance wildlife, if any:

None needed.

- e. List any invasive animal species known to be on or near the site.

None Known.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

electric and natural gas for heating, cooling and lighting.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

no.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The project will meet the State Energy Code.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?

If so, describe.

no

- 1) Describe any known or possible contamination at the site from present or past uses.

None Known.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

none.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

The project includes limited use of compressed medical gasses.

- 4) Describe special emergency services that might be required.

none.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

The project will meet all local and state health codes.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

none

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Short term construction. Long term use of sirens for emergency responses from the proposed fire station.

- 3) Proposed measures to reduce or control noise impacts, if any:

none.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site is undeveloped. The project will not adversely impact nearby land uses.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

no.

- i) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

no.

- b. Describe any structures on the site.

no structures.

- d. Will any structures be demolished? If so, what?

no

- e. What is the current zoning classification of the site?

The site is unzoned.

- f. What is the current comprehensive plan designation of the site?

The site is undesignated.

- g. If applicable, what is the current shoreline master program designation of the site?

n/a

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

no

- i. Approximately how many people would reside or work in the completed project?

Maximum of six (6) / Shift, 24 hrs/day, seven days/wk.

- j. Approximately how many people would the completed project displace?

zero.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

n/a

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: *Site design and architecture will respect and be compatible with surrounding land uses.*
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

n/a

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

n/a

n/a

- c. Proposed measures to reduce or control housing impacts, if any:

n/a

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? *Approximately 40 feet. Masonry, metal, wood, composite, brick building materials.*
- b. What views in the immediate vicinity would be altered or obstructed? *The view from Jadwin Ave and Stevens Dr. would be affected.*
- c. Proposed measures to reduce or control aesthetic impacts, if any: *Quality, municipal architectural design.*

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? *Exterior security lighting at night.*
- b. Could light or glare from the finished project be a safety hazard or interfere with views? *no.*
- c. What existing off-site sources of light or glare may affect your proposal? *none.*
- d. Proposed measures to reduce or control light and glare impacts, if any: *Lighting fixtures will screen light and orient downward.*

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? *none.*
- b. Would the proposed project displace any existing recreational uses? If so, describe. *no.*
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

n/a

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

no.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

no.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. Institutional knowledge of the site.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. n/a

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Jadwin Ave and Stevens Drive. Access will occur on Jadwin Ave.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

yes, greater than 1,000 feet.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? Creation of approximately 15 parking spaces. None eliminated.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). Yes, an access drive will be designed by a licensed engineer onto Jadwin Ave for review and approval by the City.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. An industrial rail spur w/in 1,500'.

A regional airport w/in 2,500'.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

40 trips/day including emergency vehicle response and personal vehicle use (arrival-departure for shifts)

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

no.

h. Proposed measures to reduce or control transportation impacts, if any: *The final project will be reviewed by the city and transportation impacts will be mitigated as part of the development review process.*

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. *no.*

b. Proposed measures to reduce or control direct impacts on public services, if any.

n/a

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other data, cable

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. *City of Richland, Cascade Natural Gas, Charter Cable, GTE*

phone (or Verizon).

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: *[Signature]*

Name of signee: *Joe Schriessl*

Position and Agency/Organization: *Parks & Public Facilities Director, City of Richland*

Date Submitted: *9-13-18*

Community & Economic Development Department

This application was reviewed by the Planning Division of the Community & Economic Development Department. Any comments or changes made by the Department are entered in the body of the checklist and contain initials of the reviewer.

Reviewer Signature

Date

D. supplemental sheet for nonproject actions

Planning & Development Services Division • Current Planning Section
840 Northgate Drive • Richland, WA 99352
General Information: 509/942-7794 • Fax: 509/942-7764

Petition for Change of Zoning District Classification

Application is hereby made to the City of Richland for a change of zone, pursuant to Section 23.82.190 of the City of Richland Municipal Code.

The following required information must be typed or printed legibly in the appropriate spaces.

SECTION I – APPLICANT INFORMATION		
Applicant's Name: <u>City of Richland c/o Joe Schiessl</u>		
Address: <u>505 Swift Blvd.</u>		
City: <u>Richland</u>	State: <u>wa</u>	Zip: <u>99352</u>
Phone: <u>942-7578</u>	Fax: <u>n/a</u>	Other and/or e-mail address: <u>jschiessl@ci.richland.wa.us</u>
Please check under what capacity you are filing:		
☒ Recorded owner of the property as of <u>Approx 1945</u>	☐ Purchasing under contract as of	
☐ The lessee as of	☐ The authorized agent of any of the foregoing, duly authorized in writing (written authorization must be attached to application).	
SECTION II – PROPERTY LOCATION AND GENERAL DESCRIPTION		
Street address(es) of property for which the zone change is requested, if applicable: <u>none assigned</u>		
Relationship to adjacent streets (i.e., west of Main Street between 1 st Avenue and 2 nd Avenue): <u>SE corner of Jadwin Ave & Stevens Dr.</u>		
General description of development status (i.e., vacant, agricultural, buildings, or miscellaneous improvement): <u>undeveloped</u>		
Size of petition area	acres and <u>1.127 ac.</u>	square feet <u>89,100 #</u>
SECTION III - CHANGE OF ZONE REQUEST		
A change of zone from <u>Unzoned</u> To <u>Parks & Public Facilities</u> is requested for the property described in Section II of this application.		
SECTION IV – JUSTIFICATION		
State the reason(s) for the requested change of zone: <u>Parcel No: 1-34081000029000 is currently unzoned.</u> <u>The property is the future location of Fire Station #73.</u>		

Continued

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COMPLETE.

DATED THIS 13th DAY OF Sept., 2018.

[Signature]
Applicant's Signature

Applicant's Signature

505 Swift Blvd
Address
Richland, WA 99352
City, State, Zip
942.7578
Phone

Address

City, State, Zip

Phone

FOR OFFICE USE ONLY

Date accepted for filing _____

Items enclosed: Filing fee and Title Insurance
Company Ownership Report showing all property
Owners of Record within 300-feet.

City Official's Signature

Zoning





Looking North



Looking South



MEMORANDUM

TO: File Z2018-107

FROM: Mike Stevens, Planning Manager

DATE: June 4, 2019

SUBJECT: Zoning Amendment Withdrawal

Thera Rew submitted a formal request on May 13, 2019 to withdraw the application to rezone a portion of Parcel #12508000001005. At this time only the application for the Comprehensive Plan Land Use Map amendment is part of the 2018-2019 docket.



Comprehensive Plan Amendment Application

☐ Comprehensive Plan Land Use Map

☐ Text of Comprehensive Plan

Note: A Pre-Application meeting is advised prior to submittal of an application

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Columbia Golf Associates Brad and Thera Rew will close the sale of the golf course

Address: 2800 Clubhouse Ln. Richland WA. 99354 March 15th 2019.. HJBT Properties will become the owner at that point.

Phone: Email:

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: UBI#

Contact: Brad & Thera Rew

Address: 1413 Sunset St. Richland WA 99354

Phone: 509-528-6092 Email: therarew@gmail.com

PROPERTY INFORMATION

Legal Description:

See attached

Parcel # 125082000001005

Current Zoning: Ag Current Land Use Designation: developed open space

GENERAL REQUIREMENTS FOR ALL APPLICATIONS – Attach written statements explaining the following

1. Completed Application and Filing Fee;
2. The purpose of the proposed amendment;
3. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (The goals the Act are listed in 36.70A.020);
4. How the amendment is consistent with the adopted countywide planning policies;
5. How the amendment furthers the purpose of the city's comprehensive plan;
6. How the amendment is internally consistent with the city's comprehensive plan, as well as other adopted city plans and codes;
7. If applicable, how the project will meet concurrency requirements for transportation;
8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
9. **Comprehensive Plan TEXT AMENDMENT applications must also include;**
 - a. The proposed element, chapter, section and page number of the comp plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
10. **Comprehensive Plan MAP AMENDMENT applications must also include;**
 - a. The current land use map designation for the subject parcel(s).
 - b. The land use map designation requested.
 - c. A complete legal description describing the combined area of the subject parcel(s)
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All road abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
 - iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable

- v. The location of existing utilities serving the subject parcels including electrical, water and sewer;
 - vi. The location and uses of existing structures located on the subject parcel(s);
- e. Topographical map of the subject parcels and abutting properties at a scale of a minimum of one inch represents 200 feet (1:200);
- f. The current official zoning map designation for the subject parcel(s);
- g. A detailed plan which indicates any proposed improve
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- h. A corresponding zoning map amendment application, where necessary to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- i. A description of any associated development proposals. Development proposals shall not be processed concurrent with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the city's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the city will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The city shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Thera M Rew

Applicant Signature:  Date 3/1/19

1. Filing fee included in with the Application
2. The Purpose of the Proposed Amendment
 - a. HJBT is buying the Golf Course commonly known as Horn Rapids Golf Course, 2800 Clubhouse lane in North Richland. HJBT is looking to not only to continue to run a golf course but to enhance it. HJBT future plans include, building a new clubhouse, redesigning the entrance into the golf course, adding townhouses, adding an event center, redesigning the cart barn and beautifying the surroundings. Please see Exhibit A. The reason we are asking for an amendment to the comprehensive plan is to further one of our goals: to build townhouses. The portion of parcel 128082000001005 (“Property”) is right now a parking lot for the golf course and zoned for developed open space. This Property is approximately 1.99 acres. We propose that this Property be re-designated as Medium Density Residential to allow townhouses to be built along the golf course. This change would simply extend the zoning that is already exists in this area. This golf course consistently has housing that surrounds it. We are asking that this type of “living on a golf course” development be extended to the area surrounding the 18th hole. As we understand that this parcel is deemed specifically for developed open space for the sole purposes of a golf course, we assure the City that this request is not a foreshadowing of closing the golf course but rather an actual enhancement and growth of the golf course.
 - b. To make sure that patrons of the golf course still have a parking lot, our plan is to move that parking lot to the north side of Horn Rapids Drive. Maps have been attached to show the current layout and the new proposed layout. (Exhibit A)
3. Describe how the amendment is consistent with Washington State Growth Management Act
 - a. This amendment is consistent with many of the WSGMA’s planning goals. The Act establishes goals that guide the development of a City’s comprehensive plan, and this amendment promotes two or three of these planning goals. WSGMA states that housing of all types is encouraged. This amendment would add townhouses to a residential neighborhood that consists mostly of single family homes. This amendment would add the variety that the WSGMA suggests.
 - b. The WSGMA wants to retain open space and enhance recreational opportunities. Here this amendment is trying to minimize the effect on the golf course, while trying to enhance the golf course experience. By adding townhomes, the golf course will be beautified. Currently, the townhome site is an eyesore; it consists of a rundown parking lot and

un-manicured/maintained land. Adding townhomes with landscaping will benefit existing patrons and attract more patrons and more homeowners. This leads to the last planning goal of the WSGMA that this amendment promotes. Urban Growth.

- c. This amendment would add development where development can be sustained. There will be approximately 62 townhomes (10-14 townhomes on this Property alone) along the 18th hole added to this community, and there are adequate public facilities and services to support this growth.
4. How the Amendment is consistent with the adopted countywide planning policies;
 - a. When reading the Tri-Cities Consortium Consolidated Plan, we find no inconsistencies with the amendment we are asking for. The Consortium focuses on grant money for extremely low income/homelessness which this amendment is not addressing nor seeking government funds to utilize.
 - b. City of Richland has a Capital Improvement plan which details out focus goals. “Enhancing Neighborhoods” and “Maximizing Community Amenities” are just two of those goals. This Amendment would be consistent with both of those goals because we would be enhancing Horn Rapids thru beatification and adding additional homes (amenities).
5. How the amendment furthers the propose of the city’s comprehensive plan
 - a. HJBT has read the City of Richland’s Comprehensive plan and finds many goals and policies that this amendment would further the City’s plan. One in particular is:

“HE GOAL 1: Provide a range of housing densities, sizes, and types for all income and age groups of the Richland Community”

These townhomes will be built in a neighborhood which comprises mostly single-family homes. This will allow another housing option for people of all income and age groups to utilize in that neighborhood. Many of Horn Rapids residents work out at the Hanford Area. These townhouses will entice and give additional home options to the Hanford workers.
 - b. Another goal this amendment furthers is
 - i. “HE GOAL 2: Improve affordable housing opportunities for lower-income individuals, households and first-time home buyers.”
 1. Living out in Horn Rapids, close to the Hanford area can be quite expensive. Allowing this amendment would

bring in affordable living for first time homeowners to live in a much desired neighborhood.

6. How the amendment is internally consistent with the city's comprehensive plan, as well as other adopted city plans and codes;

a. We are asking for a change in the comprehensive plan that is very consistent with the Property's surroundings. We are asking for more residential, where residential already exists. We could not find any other adopted city plans or codes that address this Property in Horn Rapids that would be inconsistent with this amendment change, therefore we believes that this amendment is internally consistent.

b. HJBT has read the City of Richland's Comprehensive plan and finds many goals and policies that this amendment would further the City's plan. One in particular is:

“HE GOAL 1: Provide a range of housing densities, sizes, and types for all income and age groups of the Richland Community”

These townhomes will be built in a neighborhood which comprises mostly single-family homes. This will allow another housing option for people of all income and age groups to utilize in that neighborhood. Many of Horn Rapids residents work out at the Hanford Area. These townhouses will entice and give additional home options to the Hanford workers.

c. Another goal this amendment furthers is

i. “HE GOAL 2: Improve affordable housing opportunities for lower-income individuals, households and first-time home buyers.”

d. Living out in Horn Rapids, close to the Hanford area can be quite expensive. Allowing this amendment would bring in affordable living for first time homeowners to live in a much desired neighborhood.

e. We acknowledge that the City has a “Declaration of Restrictive Covenant for Golf Course Use” (the “Declaration”) and have no desire to breach this agreement. When reading the Declaration it states:

“The parties to this covenant acknowledge that the Golf Course Property is zoned as developed open space land and, if rezoned, the Golf Course Property could become a legal, non-conforming use under the said new zoning scheme.”

We believe that this language allows us to change the land use designation without breaching this Declaration.

f. We want Horn Rapids golf course to be Asset of Richland and only want to develop features around it and to enhance it. This amendment

would hopefully attract more patrons as well as homeowners to Horn Rapids and to Richland. We believe that asking for land use designation change on approximately 2 acres will not breach this Declaration, since this golf course infrastructure will be either be unchanged or enhanced. (ie. The 18 holes of the golf course will be unchanged, but the cart barn will be moved and enhanced and the parking lot for golf patrons will be moved/enhanced).

7. No applicable

8. Do not believe necessary.

9. No applicable.

10. Attached Maps/Documents

a. Exhibit B-land use designation

b. Exhibit C-land use designation request

c. Exhibit D-legal description

d. Attached per listing below

i. Exhibit B- land use map

ii. Exhibit E-zoning GIS map

iii. Exhibit F-street classification map

iv. Not applicable

v. Exhibit G-utility map 1, 2, and 3

vi. Exhibit H- existing structures map

e. Do not believe necessary

f. Exhibit E-zoning GIS

g. We plan to change the storm drainage, public water supply etc at a further date in the future. We don't know how that will look considering that we need to get a change in the Comprehensive Plan first in order to know how to proceed in the future.

h. Attached as Exhibit J- Zone Application Change

i. We do not have professional renditions at this time to add to this application. Our Development proposal is to build approximately 62 townhomes on the Property we are asking for a land use change (approximately 2 acres) and the property located just south of this property (approximately 5 acres). We have attached a very rudimentary drawing of what we are envisioning. Exhibit A. Please see answer to Question 2 above for more details.

Exhibit List

- A. Future Plans Map and Timeline
- B. Land Use Designation Map
- C. Land Use Designation Request
- D. Legal Description
- E. Zoning GIS Map
- F. Street Classification Map
- G. Utility Maps 1, 2, and 3
- H. Existing Structures Map
- I. Declaration of Restrictive Covenants
- J. Zoning Map/Text Amendment Application

EX. A

FUTURE PLANS MAP

Map shows only
general area of future
plans.

PHASE 3

New ProShop &
Cart Barn

New/Remodeled
Event Center

PHASE 3

New Parking lot

PHASE 4

Final Phase of townhomes
about 20 total

PHASE 1 & 2
Townhomes (50)

Clubhouse Ln

River Valley Dr

River Valley Dr

Google

Crosswater Loop

Illey Dr

Timeline for Future plans

Summer/Fall 2019 Land Development and Phase 1: Build Townhomes

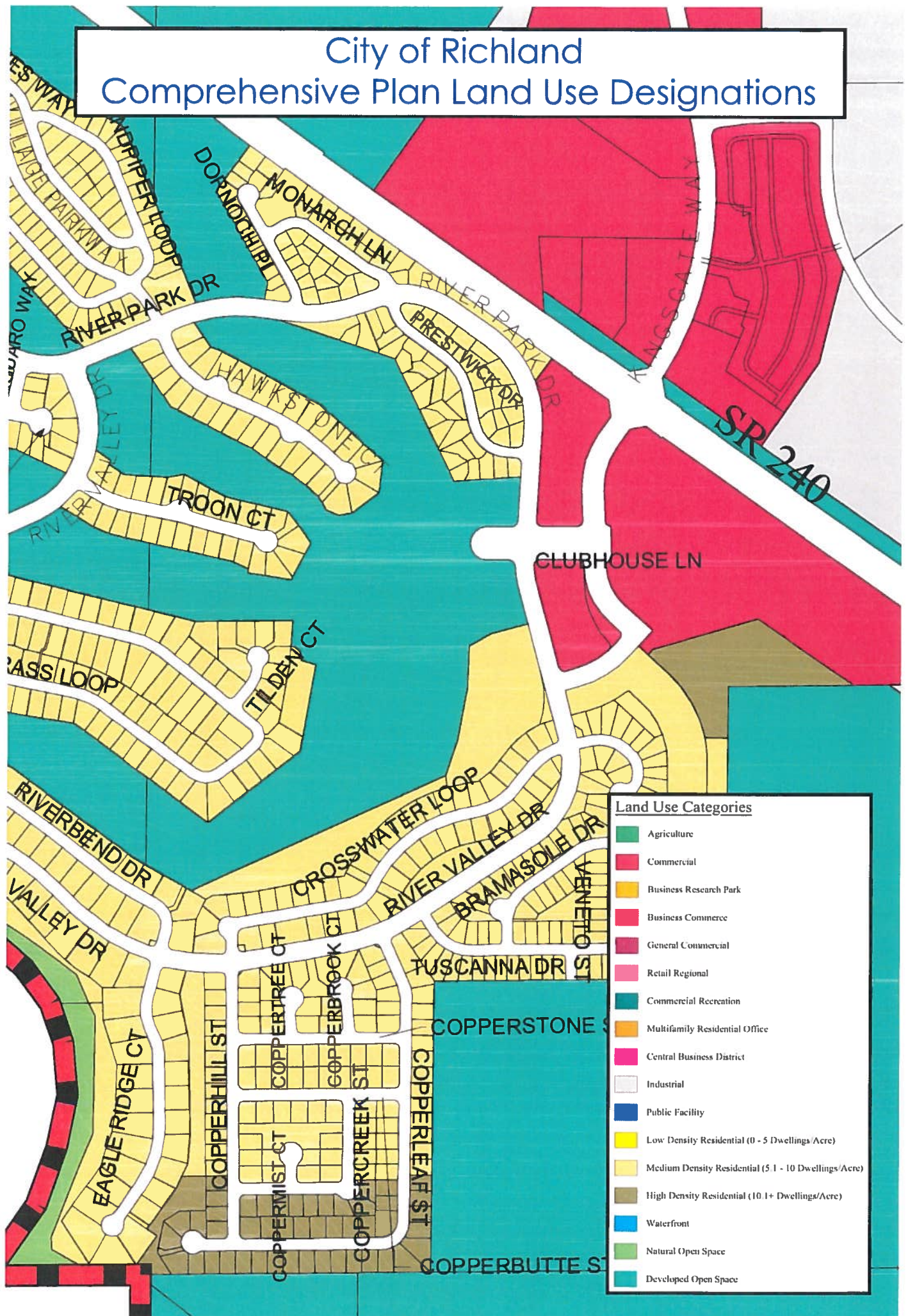
Spring 2020 Phase 2: Build Townhomes

Fall 2020 Phase 3: New parking lot

Spring 2021 Phase 3: New Pro-Shop/Cart Barn

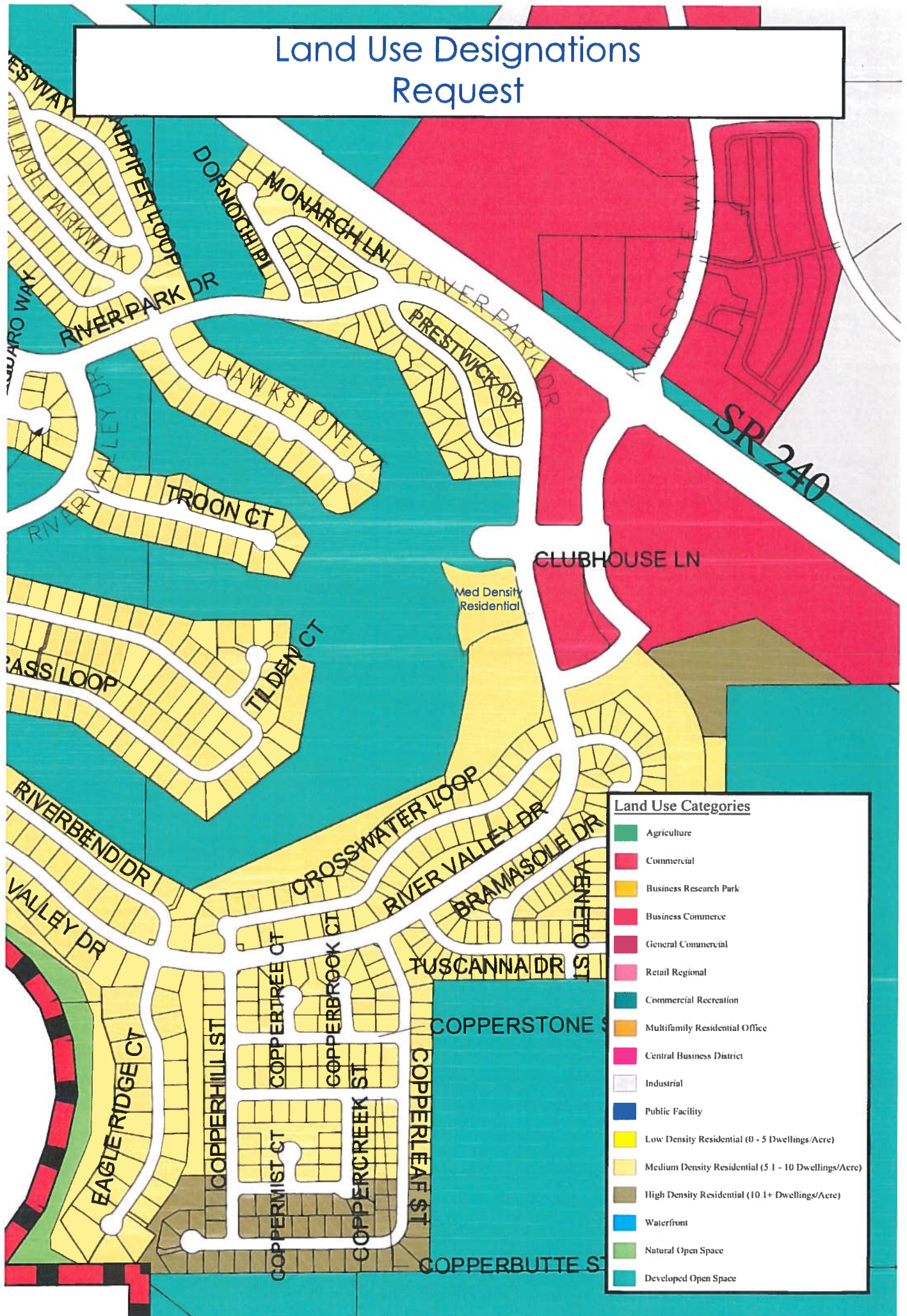
Summer 2021 Phase 4: Build Townhomes

City of Richland Comprehensive Plan Land Use Designations



Ex. B

Land Use Designations Request



Land Use Categories

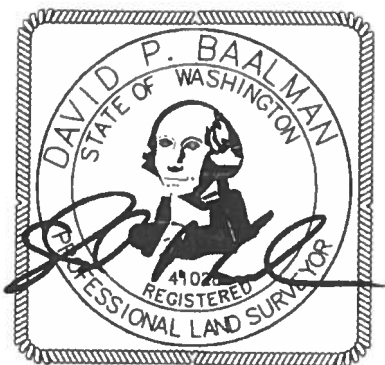
- Agriculture
- Commercial
- Business Research Park
- Business Commerce
- General Commercial
- Retail Regional
- Commercial Recreation
- Multifamily Residential Office
- Central Business District
- Industrial
- Public Facility
- Low Density Residential (0 - 5 Dwellings/Acre)
- Medium Density Residential (5.1 - 10 Dwellings/Acre)
- High Density Residential (10.1+ Dwellings/Acre)
- Waterfront
- Natural Open Space
- Developed Open Space

**LEGAL DESCRIPTION
PROPOSED ZONE CHANGE**

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28 TOWNSHIP 10 NORTH, RANGE 28 EAST WILLAMETTE MERIDIAN, SITUATE IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF TRACT A OF THE PLAT OF CROSSWATER, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 38, RECORDS OF BENTON COUNTY; THENCE NORTH 15°06'54" WEST 470.47 FEET ALONG THE WESTERLY RIGHT OF WAY MARGIN OF RIVER VALLEY DRIVE TO THE NORTH LINE OF THAT PARCEL DESCRIBED IN CITY OF RICHLAND ORDINANCE NUMBER 34-94, AS RECORDED UNDER AUDITOR'S FILE NUMBER 94-18685, RECORDS OF BENTON COUNTY AND THE **TRUE POINT OF BEGINNING**; THENCE SOUTH 74°38'14" WEST 188.36 FEET ALONG SAID NORTH LINE; THENCE SOUTH 61°28'30" WEST 113.49 FEET ALONG SAID NORTH LINE TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 06°40'50" WEST 51.59 FEET ALONG THE WEST LINE OF SAID PARCEL; THENCE LEAVING SAID WEST LINE NORTH 13°38'01" WEST 112.29 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 96.50 FEET; THENCE NORTHERLY 36.97 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°57'10"; THENCE NORTH 08°19'09" EAST 72.44 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 103.50 FEET; THENCE NORTHWESTERLY 78.90 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°40'38"; THENCE NORTH 35°21'29" WEST 43.43 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 231.61 FEET; THENCE NORTHWESTERLY 104.28 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 25°47'51" TO A POINT OF CUSP; THENCE SOUTH 67°50'48" EAST 76.04 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 225.50 FEET; THENCE SOUTHEASTERLY 139.97 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°33'51"; THENCE NORTH 76°35'21" EAST 126.02 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY MARGIN OF SAID RIVER VALLEY DRIVE, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY 12.34 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID WESTERLY RIGHT OF WAY MARGIN THROUGH A CENTRAL ANGLE OF 28°16'18" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 14°11'24" EAST 12.21 FEET;) TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 342.00 FEET; THENCE SOUTHEASTERLY 89.90 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID WESTERLY RIGHT OF WAY MARGIN THROUGH A CENTRAL ANGLE OF 15°03'38"; THENCE SOUTH 15°06'54" EAST 163.03 FEET ALONG SAID WESTERLY RIGHT OF WAY MARGIN TO THE **TRUE POINT OF BEGINNING**.

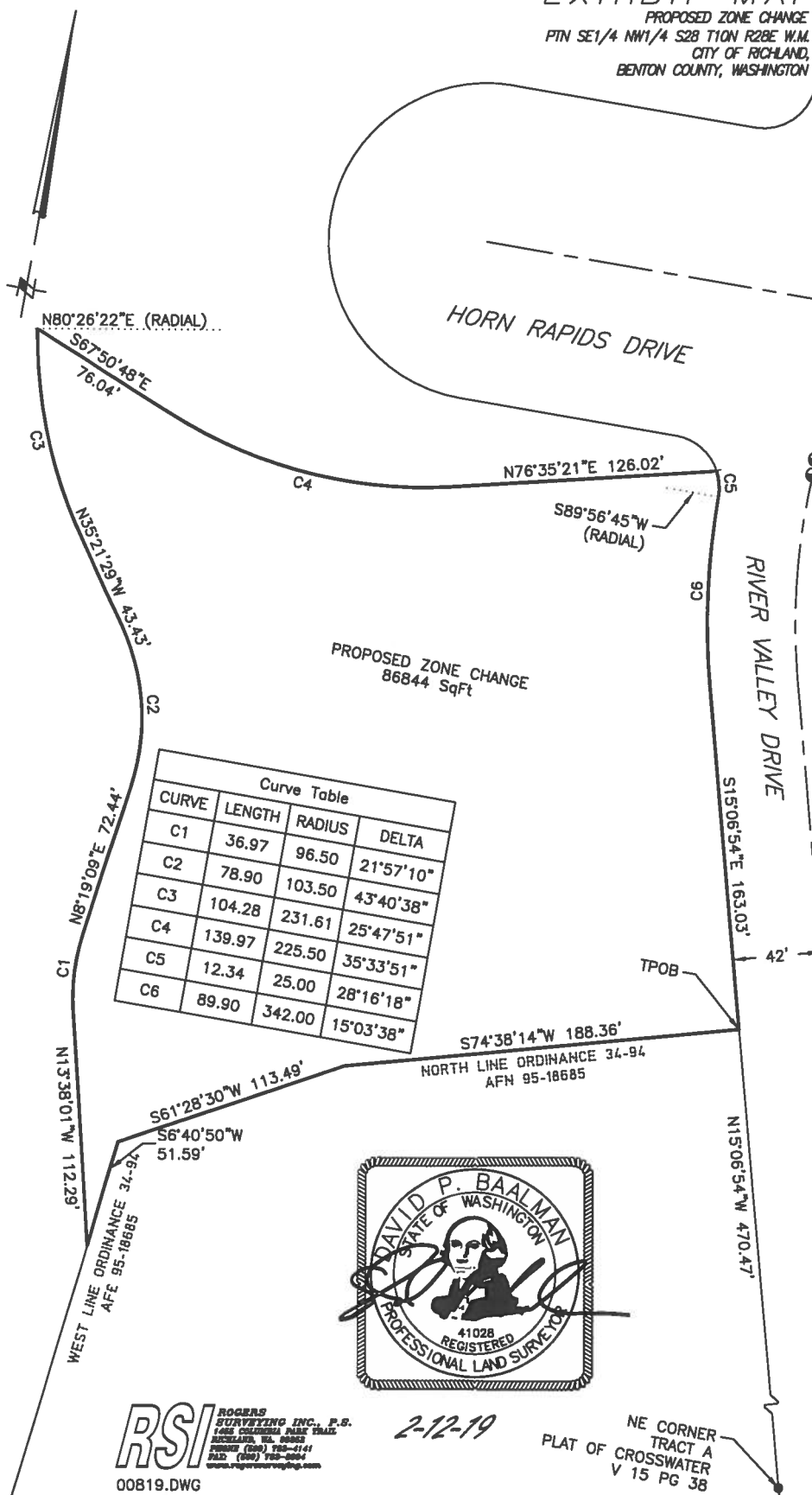
CONTAINS 86,844 SQUARE FEET, MORE OR LESS.



2-12-19

EXHIBIT MAP

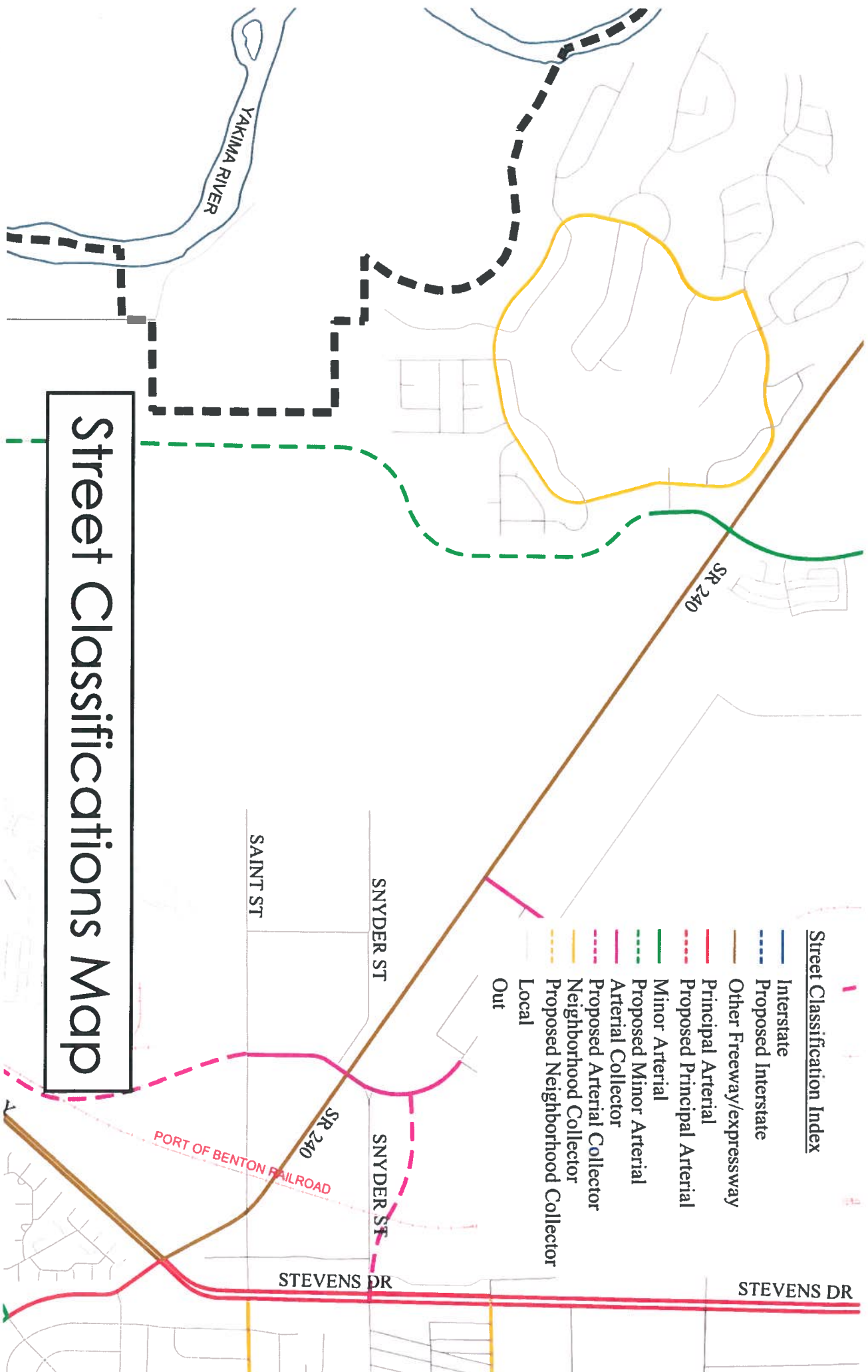
PROPOSED ZONE CHANGE
PTN SE1/4 NW1/4 S28 T10N R28E W.M.
CITY OF RICHLAND,
BENTON COUNTY, WASHINGTON



City of Richland Zoning GIS Map

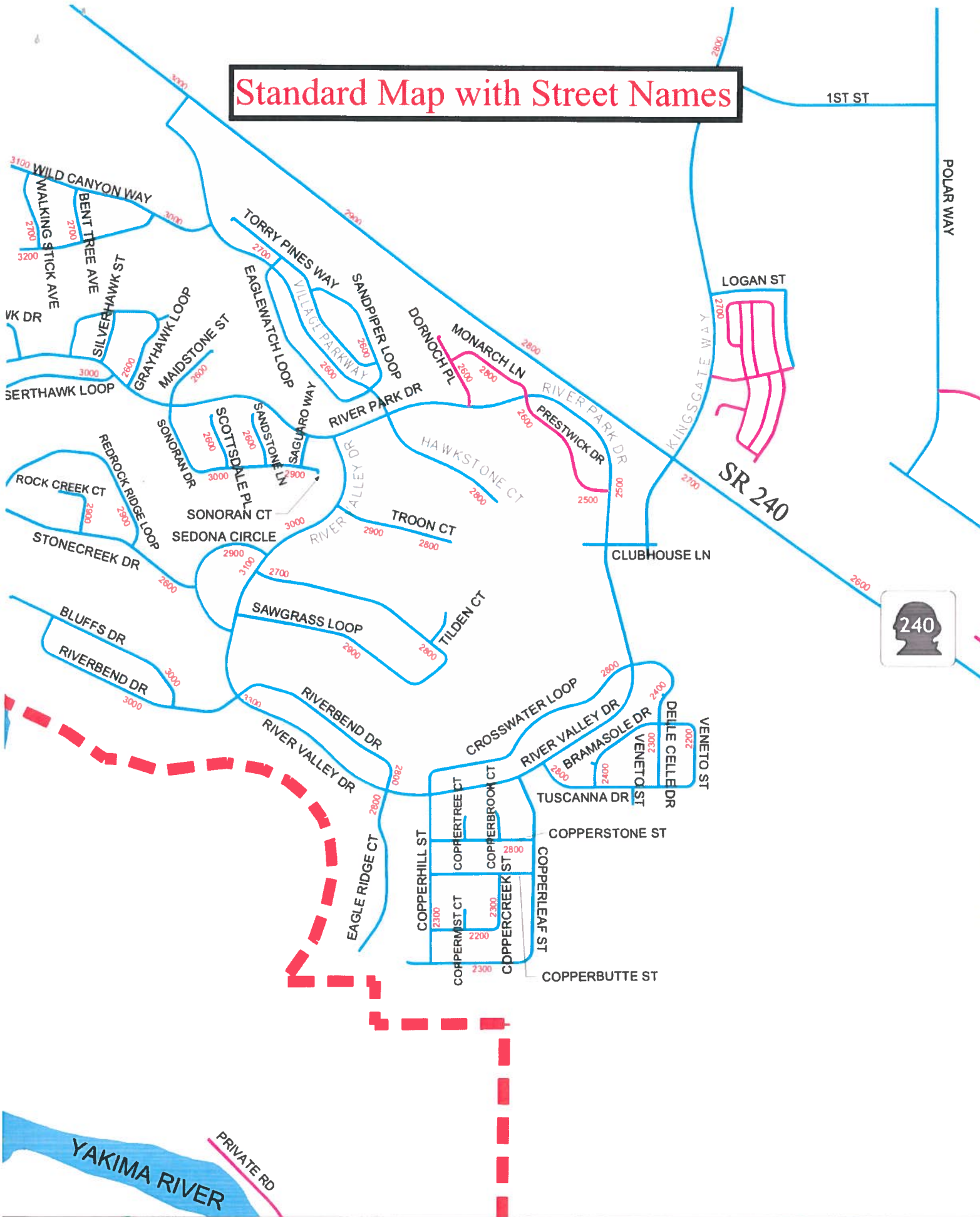


Street Classifications Map



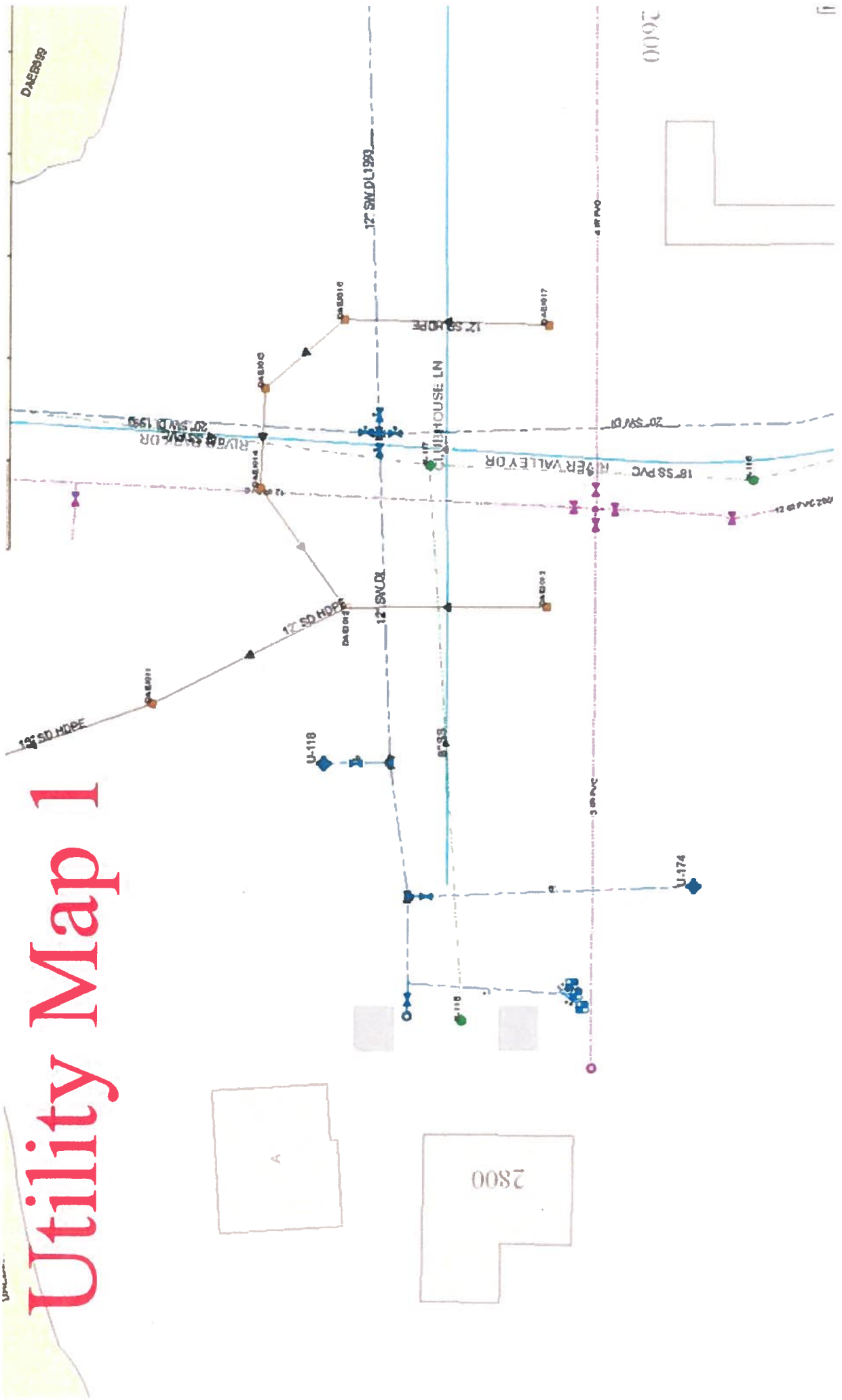
EX.F

Standard Map with Street Names

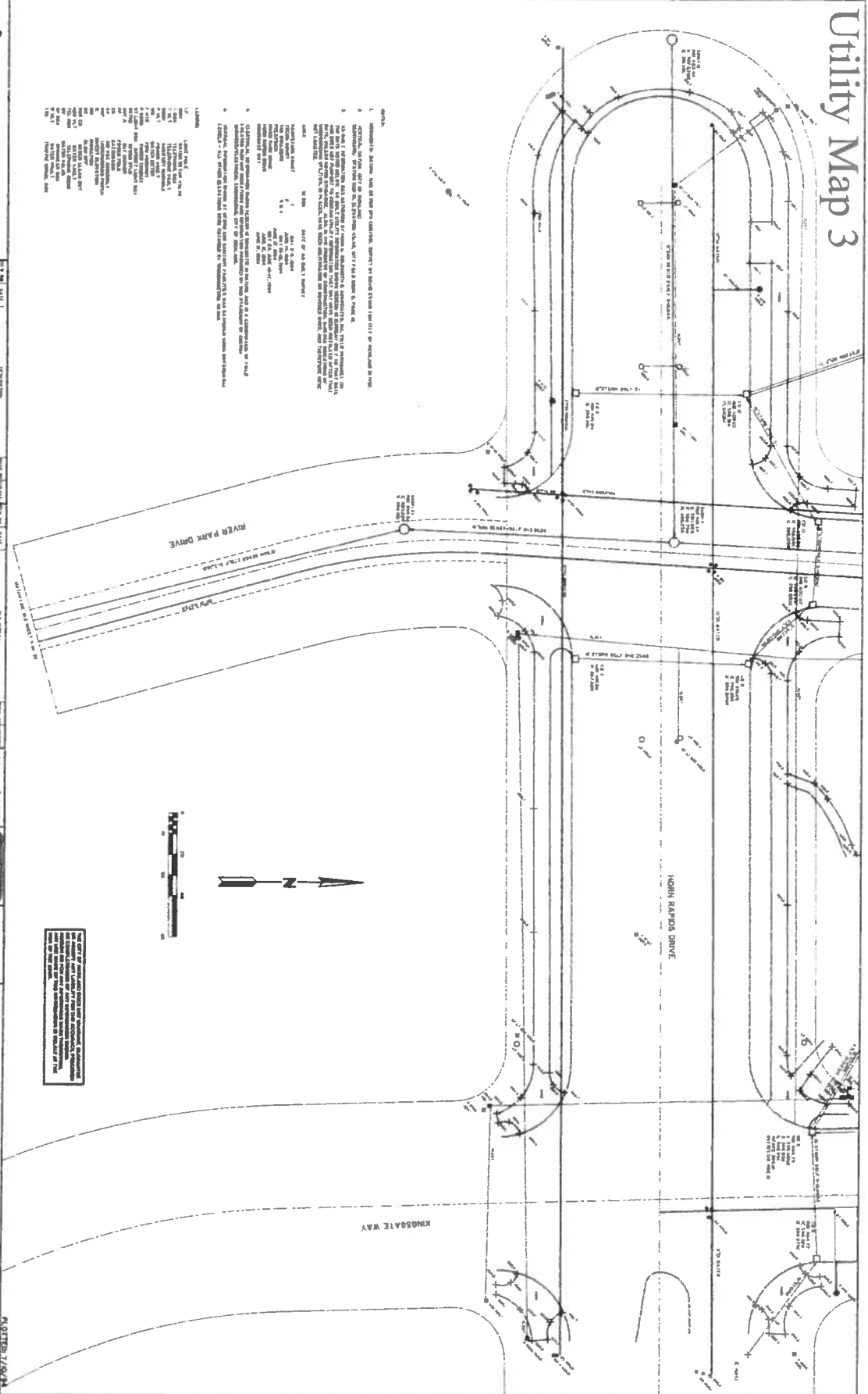


EX. F

Utility Map 1

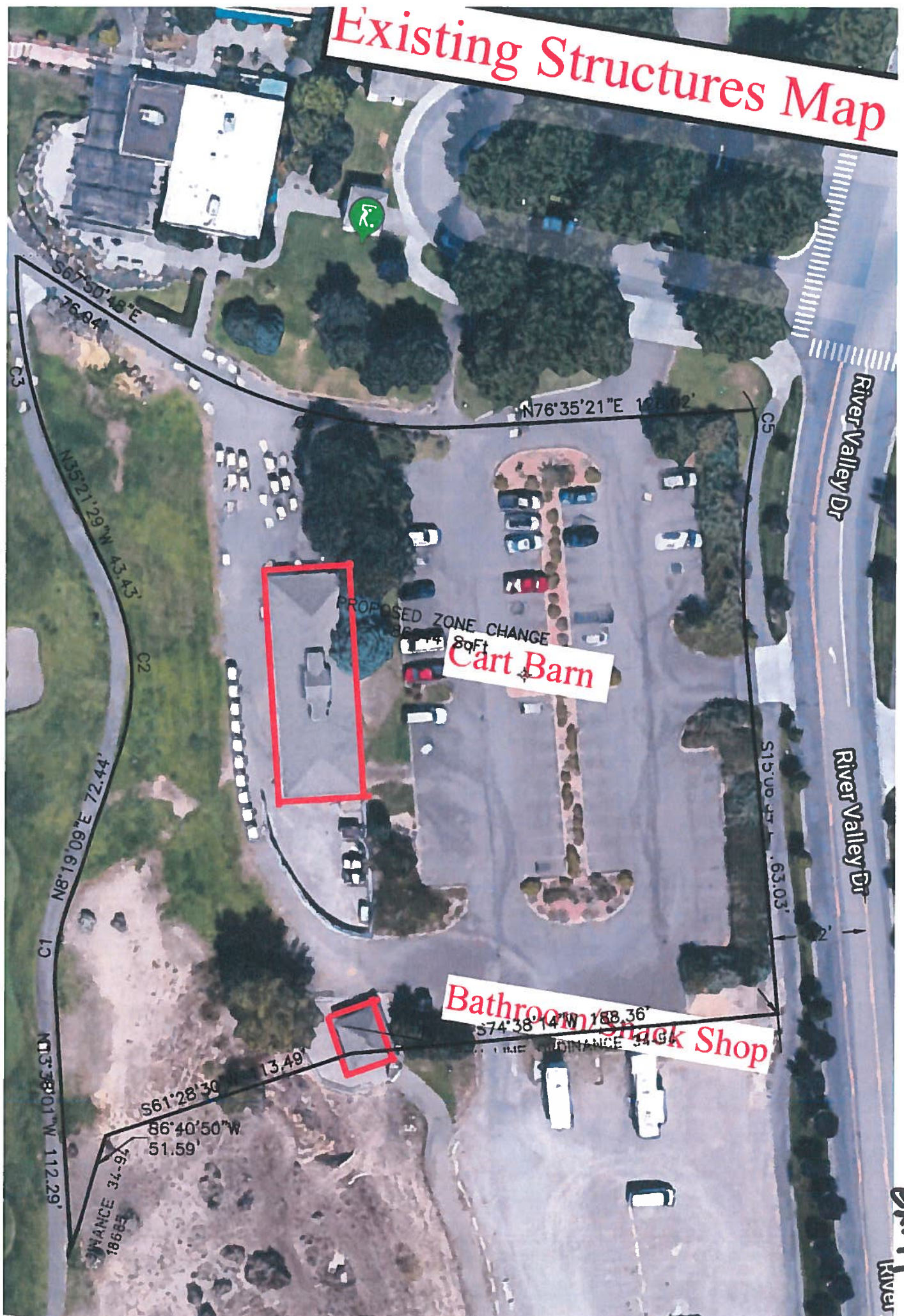


Utility Map 3



- LEGEND**
- 1. **PIPE** - 12" DIA. 100' LONG. 10" DIA. 100' LONG. 8" DIA. 100' LONG. 6" DIA. 100' LONG. 4" DIA. 100' LONG. 3" DIA. 100' LONG. 2" DIA. 100' LONG. 1" DIA. 100' LONG. 1/2" DIA. 100' LONG. 1/4" DIA. 100' LONG. 1/8" DIA. 100' LONG. 1/16" DIA. 100' LONG. 1/32" DIA. 100' LONG. 1/64" DIA. 100' LONG. 1/128" DIA. 100' LONG. 1/256" DIA. 100' LONG. 1/512" DIA. 100' LONG. 1/1024" DIA. 100' LONG. 1/2048" DIA. 100' LONG. 1/4096" DIA. 100' LONG. 1/8192" DIA. 100' LONG. 1/16384" DIA. 100' LONG. 1/32768" DIA. 100' LONG. 1/65536" DIA. 100' LONG. 1/131072" DIA. 100' LONG. 1/262144" DIA. 100' LONG. 1/524288" DIA. 100' LONG. 1/1048576" DIA. 100' LONG. 1/2097152" DIA. 100' LONG. 1/4194304" DIA. 100' LONG. 1/8388608" DIA. 100' LONG. 1/16777216" DIA. 100' LONG. 1/33554432" DIA. 100' LONG. 1/67108864" DIA. 100' LONG. 1/134217728" DIA. 100' LONG. 1/268435456" DIA. 100' LONG. 1/536870912" DIA. 100' LONG. 1/1073741824" DIA. 100' LONG. 1/2147483648" DIA. 100' LONG. 1/4294967296" DIA. 100' LONG. 1/8589934592" 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Existing Structures Map



SK. H

2011-024381 MULTI
08/30/2011 12:01:54 PM Pages: 12 Fee: \$135.00
Cascade Title
Benton County, Benton County Auditor's Office

EXCISE TAX NOT REQUIRED
BENTON COUNTY EXCISE TAX DIVISION
BY B. M. M. M. DEPT.
EASEMENT 8/30/11

AFTER RECORDING MAIL TO:
RECORDED AT THE REQUEST OF:

CASCADE TITLE CO.

Joel R. Comfort
Miller, Mertens, Comfort,
Wagar & Kreutz, PLLC
1020 N. Center Parkway, Suite B
Kennewick, WA 99336

MISC 11-412(1)

135.

Reference numbers of related documents:

Grantors: Columbia Golf Associates, a Washington partnership;
North Stone Richland, LLC

Grantees: Columbia Golf Associates, a Washington partnership;
North Stone Richland, LLC

Abbreviated Legal Description: A portion of the Southwest quarter of the Northwest quarter of the Southwest quarter of Section 28, Township 10 North, Range 28 East, W.M., Benton County, Washington

Additional legal description: See Exhibit "A"

Assessor's Tax Parcel ID Numbers: 128082000001001; 128083000001003

**DECLARATION OF RESTRICTIVE COVENANT FOR
CARETAKER/GROUNDSKEEPER/SECURITY WATCHMAN ACCOMODATIONS and
ACCESS AND UTILITY EASEMENT**

WHEREAS, Columbia Golf Associates, a Washington partnership ("CGA") and the City of Richland executed a Declaration of Restrictive Covenant for Golf Course Use on July 15, 2005 (a true and correct copy of which is attached hereto as Exhibit C), which permitted CGA to construct a single residential unit on the Golf Course Property for caretaker/groundskeeper/security watchman accommodations; and

DECLARATION OF RESTRICTIVE COVENANT
AND ACCESS AND UTILITY EASEMENT, Page 1 of 4

WHEREAS, North Stone Richland, LLC is the property developer for the residential developments surrounding the Golf Course Property, and needs to have certainty regarding the building site for the caretaker/groundskeeper/security watchman accommodations for planning purposes, and to give notice to future purchasers of the affected residential lots which may be impacted by the caretaker/groundskeeper/security watchman accommodations;

WHEREAS, North Stone Richland, LLC and CGA have conferred regarding the building site for the caretaker/groundskeeper/security watchman accommodations, and North Stone Richland has set aside land to serve as a private driveway to provide CGA with access to the building site and future residence;

NOW, THEREFORE, the parties agree, covenant, and declare as follows:

Section 1. Building Site Covenant. In addition to the covenants set forth in the Declaration of Restrictive Covenant for Golf Course Use, dated July 15, 2005, CGA agrees and covenants to locate the building site for the caretaker/groundskeeper/security watchman accommodations on the Golf Course Property in the location described in Exhibit A hereto, and depicted on Exhibit B. CGA may not relocate the building site without the express written consent of North Stone Richland, LLC.

Section 2. Access Easement. In consideration for CGA's covenant to locate the building site as described on Exhibit A, and depicted on Exhibit B, North Stone Richland, LLC hereby conveys to CGA a 20-foot easement for ingress and egress and for utilities between Lot 27 and Lot 28, as depicted on the Plat of Desert Summit, Records of Benton County, and depicted as "Tract B" on Exhibit B hereto. The cost of constructing, maintaining, and improving the easement shall be borne by CGA.

Section 3. Covenant to Run With the Land. The covenants provided for herein shall run with the land and be binding upon the parties, their successors in interest, and all persons acquiring the Golf Course Property, or any portion thereof, or any interest therein, including a leasehold interest, whether by operation of law or otherwise.

Section 3. Enforcement. The parties shall have the right to enforce by any proceedings at law or in equity all rights, duties, obligations, and covenants now or hereafter imposed by this Declaration. Failure to enforce any right, duty, obligation, or covenant herein contained shall not be deemed a waiver of the right to do so thereafter. In the event of litigation with respect to the enforcement or interpretation of this Declaration, including appeals, the prevailing party in such litigation shall be entitled to recover from the nonprevailing party the prevailing party's reasonable attorneys fees, costs, and disbursements.

DATED this 25 day of Aug, 2011.

COLUMBIA GOLF ASSOCIATES ,
A Washington Partnership

By: Robert L. Soushek
Robert L. Soushek, Managing Partner

NORTH STONE RICHLAND, LLC

See attached

By: _____
Stew Stone, Member

By: _____
Ronald Bochler, Managing Member of
Santiam Development Company, LLC

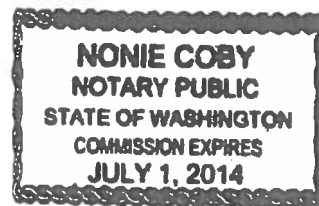
STATE OF WA
COUNTY OF King

On this 25 day of Aug, 2010, before me, the undersigned Notary Public in and for the State of WA duly commissioned and sworn, personally appeared ROBERT SOUSHEK, to me known to a partner of Columbia Golf Associates, the Washington partnership that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of partnership, for the uses and purposes therein mentioned and on oath stated that he is authorized to execute the said instrument on behalf of said partnership. Witness my hand and official seal hereto affixed the day and year first above written.

Nonie Coby
NOTARY PUBLIC in and for the State of

WA, residing at Black Diamond
My Commission Expires: July 1, 2014

DECLARATION OF RESTRICTIVE COVENANT
AND ACCESS AND UTILITY EASEMENT, Page 3 of 4



DATED this 25th day of August, 2011.

COLUMBIA GOLF ASSOCIATES ,
A Washington Partnership

NORTH STONE RICHLAND, LLC

By: _____
Robert L. Soushek, Managing Partner

By: Stew Stone
Stew Stone, Member

By: Ronald Bochsler
Ronald Bochsler, Managing Member of
Santiam Development Company, LLC

STATE OF _____

COUNTY OF _____

On this _____ day of _____, 2010, before me, the undersigned Notary Public in and for the State of _____ duly commissioned and sworn, personally appeared ROBERT SOUSHEK, to me known to a partner of Columbia Golf Associates, the Washington partnership that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of partnership, for the uses and purposes therein mentioned and on oath stated that he is authorized to execute the said instrument on behalf of said partnership.

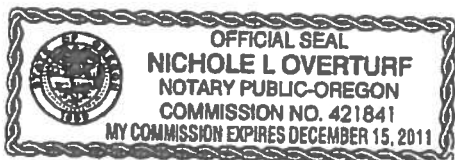
Witness my hand and official seal hereto affixed the day and year first above written.

NOTARY PUBLIC in and for the State of _____
residing at _____
My Commission Expires: _____

STATE OF Oregon)
COUNTY OF Marion)

On this 25 day of August, 2011, before me, the undersigned Notary Public in and for the State of Oregon duly commissioned and sworn, personally appeared STEW STONE, to me known to a Member of NORTH STONE RICHLAND, LLC, the limited liability company that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned and on oath stated that he is authorized to execute the said instrument on behalf of said limited liability company.

Witness my hand and official seal hereto affixed the day and year first above written.

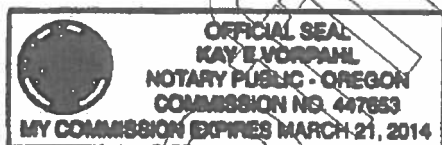


Nichole L. Overturf
NOTARY PUBLIC in and for the State of
Oregon, residing at Salem
My Commission Expires: December 15, 2011

STATE OF Oregon)
COUNTY OF Lincoln)

On this 26th day of August, 2011, before me, the undersigned Notary Public in and for the State of Oregon duly commissioned and sworn, personally appeared RONALD BOCHSLER, to me known to Managing Member of Santiam Development Company, LLC, the limited liability company that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned and on oath stated that he is authorized to execute the said instrument on behalf of said limited liability company.

Witness my hand and official seal hereto affixed the day and year first above written.



Kay E. Vorpahl
NOTARY PUBLIC in and for the State of
Oregon, residing at Silverton, Oregon
My Commission Expires: 3/21/14

August 01, 2011

EXHIBIT A
GOLF COURSE RESIDENCE LOCATION

A parcel of land lying in a portion of the Southwest quarter of the Northwest quarter of the Southwest quarter of Section 28, Township 10 North, Range 28 East, W.M., Benton County, Washington, described as follows:

Beginning at the Northwest corner of the Southwest quarter of said Section 28 as shown in Desert Summit, according to the Plat thereof, recorded in Volume 15 of Plats, page 344, Records of Benton County, Washington;

Thence South $00^{\circ}30'06''$ West along the West line of the Southwest quarter of said Section 28 for a distance of 780.77 feet to a point on the Northerly boundary of Lot 29, Desert Summit (15-344);

Thence leaving the West line of the Southwest quarter of said Section 28, South $60^{\circ}23'53''$ East along the Northerly boundary of said Desert Summit (15-344) for a distance of 222.63 feet;

Thence leaving the Northerly boundary of said Desert Summit (15-344), North $82^{\circ}33'19''$ East, 13.10 feet to the **TRUE POINT OF BEGINNING** of the parcel to be described;

Thence continuing North $82^{\circ}33'19''$ East, 179.98 feet;

Thence North $06^{\circ}17'32''$ West, 98.40 feet;

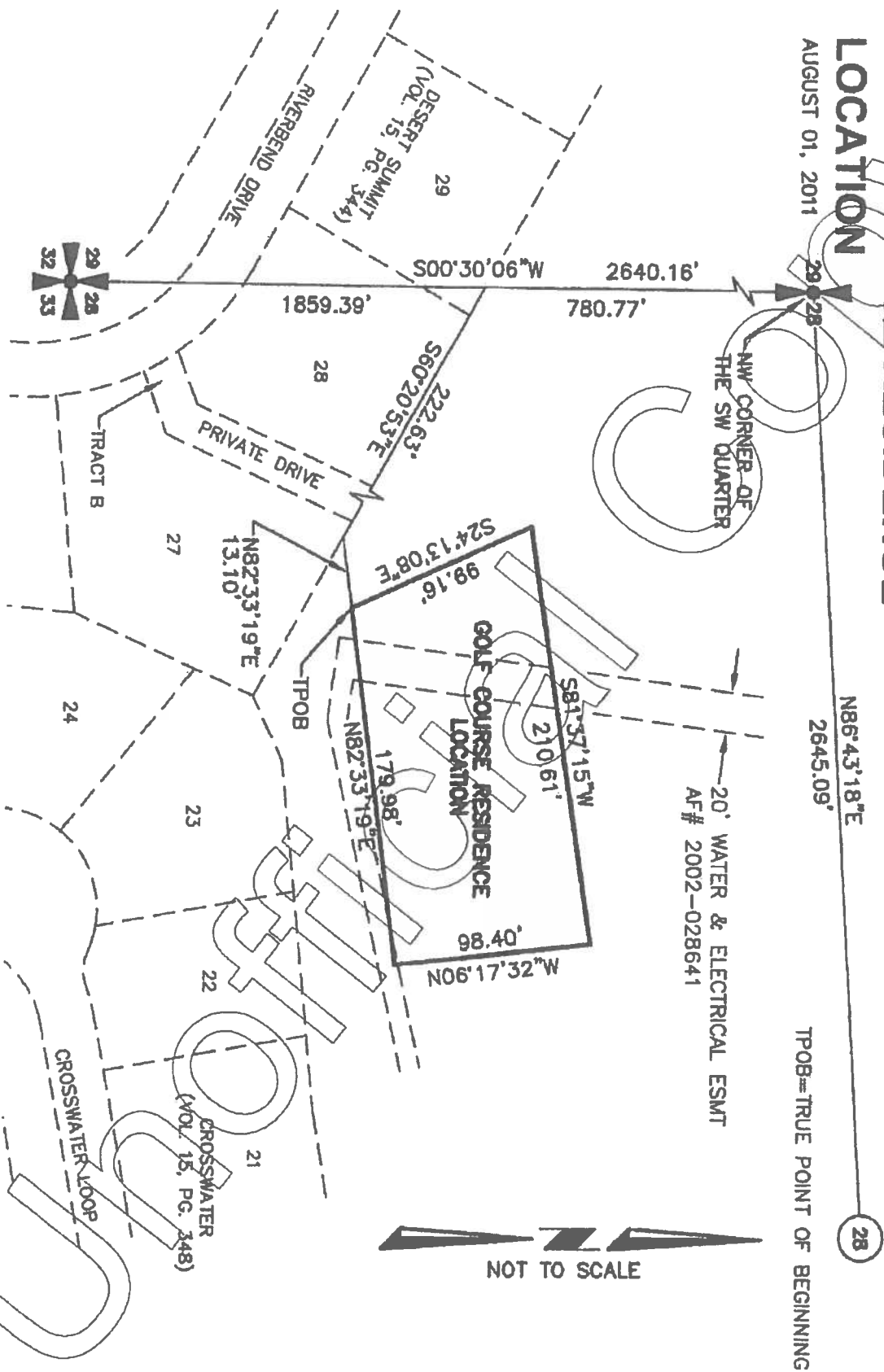
Thence South $81^{\circ}37'15''$ West, 210.61 feet;

Thence South $24^{\circ}13'08''$ East, 99.16 feet to **TRUE POINT OF BEGINNING**.

Containing: 18,899.46 square feet, (0.43 acres), more or less.

ALSO TOGETHER WITH AND SUBJECT TO easements, reservations, covenants and restrictions apparent or of record.

AUGUST 01, 2011



After Filing Return To:
 Davis Wright Tremaine LLP
 2600 Century Square
 1501 Fourth Avenue
 Seattle, Washington 98101-1688
 Attention: Thomas A. Goeltz

EXHIBIT C

DECLARATION OF RESTRICTIVE COVENANT FOR GOLF COURSE USE

Grantor(s):	Columbia Golf Associates, a Washington partnership City of Richland, a Washington municipality
Grantee(s):	Columbia Golf Associates, a Washington partnership City of Richland, a Washington municipality
Abbreviated Legal Description:	Insert
Additional legal description	See Exhibit A
Assessor's Property Tax Parcel Account Number(s):	Insert
Related Documents:	N/A

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Declaration") dated as of 7-15-05, 2005, is made by THE CITY OF RICHLAND, a Washington municipality (the "City"), and COLUMBIA GOLF ASSOCIATES, a Washington partnership ("CGA").

RECITALS

A. The City is in possession and control of that certain property commonly known as the Horn Rapids Golf Course, which is more particularly described in Exhibit A attached hereto (the "Golf Course Property"), in a trust capacity as the successful

bidder of a sheriff's sale resulting from a local improvement district lien foreclosure proceeding.

B. The sheriff's certificate is subject to a redemption period of two years from the sale date of March 26, 2004, which redemption rights are held by CGA, the last owner of the Golf Course prior to foreclosure.

C. CGA and the City entered into that certain Final Agreement (Including Redemption Option) dated 7-15- 2005, pursuant to which the parties agreed to convey the Golf Course Property to CGA conditioned on the recording of a declaration to limit the use of the Golf Course Property, as provided herein.

DECLARATION

NOW, THEREFORE, the parties agree, covenant, and declare as follows:

1. **Golf Use Covenant.** The Golf Course Property, or any portion thereof, shall be used and operated only for a regulation length, 18 hole golf course, clubhouse and related facilities. For the purposes of this Declaration of Restrictive Covenant, "related facilities" shall include, but not necessarily be limited to, putting greens, driving ranges, satellite restrooms, cart barns, storage for golf related equipment/supplies, golf course maintenance buildings and yards, irrigation system infrastructure, caretaker/groundskeeper/security watchman accommodations, satellite food and beverage vending and service/concession facilities (fixed and mobile), conference, banquet, and food and beverage (including alcohol) service and dining facilities. No more than five overnight/short stay recreational vehicle parking and hook-ups to be used to support golf related activities (these hook-ups are not intended for commercial use unrelated to golf course activities), and complimentary accessory recreational facilities such as exercise/fitness center facilities. Permitted scope of "clubhouse" ancillary operations include, but are not limited to, providing a venue and catering for indoor and outdoor social and business functions, weddings, receptions, homeowner's association meetings, concert events, and otherwise functioning as a privately operated social club or community center. The parties also acknowledge that the Golf Course Property provides incidental easements for utilities, drainage, and access in support of residential housing in the vicinity of the Property, all as incidental permitted uses of the Property. Commercial uses expressly excluded within the intent of this covenant include, but are not limited to, providing overnight motel/hotel-type guest accommodations, ongoing gaming requiring permanent casino-type licensing, and operating as a tavern, bar, adult entertainment venue, or pool hall. The parties to this covenant acknowledge that the Golf Course Property is zoned as agricultural land and, if rezoned, the Golf Course Property could become a legal, non-conforming use under said new zoning scheme. In the event any of the uses expressly permitted by this Golf Course use covenant were legal uses when developed and should hereafter be deemed to be unpermitted uses under the agricultural zoning applicable to the property, such uses shall either be grandfathered uses if existing and legal at the time of this covenant,

or shall be uses requiring conditional use permit if proposed. Any proposed caretaker/groundskeeper/security-watchman accommodations shall be classified as agricultural occupancies and expressly limited to a single residential unit or occupancy for the entire Golf Course Property, may not be segregated, platted, or conveyed separate from the Golf Course Property, and may not be offered as public accommodations or otherwise occupied except by current Golf Course employees and immediate families of current employees.

2. Covenant to Run With the Land. The covenant provided for herein shall run with the land and be binding upon the parties and all persons acquiring the Golf Course Property, or any portion thereof, or any interest therein, including a leasehold interest, whether by operation of law or otherwise. The covenant provide for herein shall be for the benefit of the City, as a municipality with an interest in appropriate land uses and as the owner of adjoining or nearby property within the Horn Rapids area and development.

3. Enforcement. The City shall have the right to enforce by any proceedings at law or in equity all rights, duties, obligations, and covenants now or hereafter imposed by this Declaration. Failure to enforce any right, duty, obligation, or covenant herein contained shall not be deemed a waiver of the right to do so thereafter.

4. Attorneys' Fees. In the event of litigation with respect to the enforcement or interpretation of this Declaration, including appeals, the prevailing party in such litigation shall be entitled to recover from the nonprevailing party the prevailing party's reasonable attorneys' fees, costs, and disbursements.

5. No Dedication or Gift; No Third Party Beneficiaries. Nothing in this Declaration shall be deemed a dedication or gift of any portion of the Golf Course Property to or for the benefit of the general public or for any public purpose whatsoever. This Declaration shall not be interpreted or construed in any way to create any third-party beneficiary rights in any person not a party hereto.

6. Entire Agreement. This Declaration constitutes the entire agreement of the parties as of the date hereof with respect to any matter described in this Declaration. No prior agreement, correspondence, or understanding pertaining to any such matter shall be effective to interpret or modify the terms hereof.

7. Amendment. No amendment or termination of this Declaration shall become effective until signed by the City and the owner of the Golf Course Property, acknowledged, and recorded in the real property records of Benton County, Washington.

8. Miscellaneous. The captions set forth in this Declaration are included for convenience of reference only and shall not in any way limit or affect the meaning or

interpretation of any terms or provisions of this Declaration. This Declaration shall be interpreted and construed under and governed by the laws of the State of Washington. Time is of the essence of this Declaration.

THE CITY OF RICHLAND, a Washington municipality By: <u>William King</u> Its: <u>Acting City Manager</u>	COLUMBIA GOLF ASSOCIATES, a Washington partnership By: Richland Golf Associates, a Washington general partnership Its: Managing Partner By: <u>Robert L. Souther</u> Its: <u>President</u>
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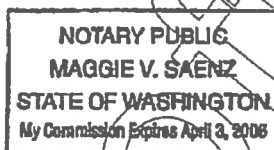
STATE OF WASHINGTON

COUNTY OF King

} ss.

On this 15th day of July, 2005, before me, a Notary Public in and for the State of Washington, personally appeared Robert Souther, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who signed this instrument; on oath stated that he/she was authorized to execute the instrument as President of COLUMBIA GOLF ASSOCIATES, a Washington partnership; and acknowledged said instrument to be his/her free and voluntary act and deed of said partnership for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Maggie V. Saenz
 NOTARY PUBLIC in and for the State of Washington, residing at Black Diamond
 My appointment expires 4/3/06
 Print Name MAGGIE V. SAENZ

STATE OF WASHINGTON

COUNTY OF BENTON

} ss.

On this 18th day of July, 2005, before me, a Notary Public in and for the State of Washington, personally appeared William King, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who signed this instrument; on oath stated that he/she was authorized to execute the instrument as CITY MANAGER of THE CITY OF RICHLAND; and acknowledged said instrument to be the free and voluntary act and deed of the City for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Ellen E. Kuklinski
NOTARY PUBLIC in and for the State of
Washington, residing at Richland
My appointment expires 5-21-08
Print Name Ellen E. Kuklinski



City of Richland
840 Northgate Dr.
Richland, WA 99352

Phone: 509-942-7794
Fax: 509-942-7764

Paid Invoice Summary

Page 1 of 1

DATE	10/3/2018
------	-----------

ACCOUNT :

Gale Rew Construction Inc
2360 Lindberg Loop
Richland WA 99354

Phone: 509 528 4699

PROJECT NAME	2800ClubhouseLn HornRapids-Plan-181003-1
2800 Clubhouse Ln Richland, WA 99354	

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
10/3/2018	2800ClubhouseLn HornRapids-Plan-181003-1	2018-003038	001345810	Zoning - Comprehensive Plan Change	Paid	(-) 980.00
10/3/2018	2800ClubhouseLn HornRapids-Plan-181003-1	2018-003038	001345810	Zoning - SEPA Review Fee	Paid	(-) 355.00
10/3/2018	2800ClubhouseLn HornRapids-Plan-181003-1	2018-003038	001345810	Zoning - Zone Change	Paid	(-) 1160.00

Date	InvoiceNum	Status	Payment	Amount
10/3/2018	2018-003038	Original Due		2495.00
10/3/2018	2018-003038	Paid	Check HJBT Properties, LLC #3400	(-) 2495.00

Total Paid	2,495.00
-------------------	-----------------

Permitting/Planning will be closed the 2nd Tuesday of each month from 8:00-8:30am

PERMIT ISSUANCE HOURS - 8:00AM - 4:30PM

Please remit all payments to address above

Thank you!

Save Time & Money with Online Permits and Inspections. Go To: www.buildingdepartment.com



City of Richland
840 Northgate Dr.
Richland, WA 99352

Phone: 509-942-7794
Fax: 509-942-7764

Due Invoice Summary

Page 1 of 1

DATE	10/3/2018
------	-----------

ACCOUNT :

Gale Rew Construction Inc
2360 Lindberg Loop
Richland WA 99354

Phone: 509 528 4699

PROJECT NAME	2800ClubhouseLn HornRapids-Plan-181003-1
2800 Clubhouse Ln Richland, WA 99354	

Date	Reference Number	Invoice Number	FeeCat	Description	Status	Amount
10/3/2018	2800ClubhouseLn HornRapids-Plan-181003-1	2018-003038	001345810	Zoning - Comprehensive Plan Change	Due	980.00
10/3/2018	2800ClubhouseLn HornRapids-Plan-181003-1	2018-003038	001345810	Zoning - SEPA Review Fee	Due	355.00
10/3/2018	2800ClubhouseLn HornRapids-Plan-181003-1	2018-003038	001345810	Zoning - Zone Change	Due	1160.00

Total Due

2,495.00

NOT PAID YET

Permitting/Planning will be closed the 2nd Tuesday of each month from 8:00-8:30am

PERMIT ISSUANCE HOURS - 8:00AM - 4:30PM

Please remit all payments to address above

Thank you!

Save Time & Money with Online Permits and Inspections. Go To: www.buildingdepartment.com

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)

2. Name of applicant: [\[help\]](#)

Brad & Thera Rew

3. Address and phone number of applicant and contact person: [\[help\]](#)

1413 Sunset St. Richland WA 509-554-4335

4. Date checklist prepared: [\[help\]](#)

9-26-2018

5. Agency requesting checklist: [\[help\]](#)

City of Richland

6. Proposed timing or schedule (including phasing, if applicable): [\[help\]](#)

2 weeks

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [\[help\]](#)

All of our future plans for the Horn Rapids Golf Course is listed here. However if permitting does not allow our plans we will adjust as needed.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [\[help\]](#)

Surveyor has been to the property to survey.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [\[help\]](#)

No

10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#)

-Zone Change application

-Building Dept. Permits

-Amend the Comprehensive Plan (if nessesary)

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [\[help\]](#)

Developing 75 multi-family units on vacant land along hole 18 of Horn Rapids Golf Course. Allow retail space at current Horn Rapid Banquet facility.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [\[help\]](#)

2800 Clubhouse Lane. Richland WA 99354

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

1. Earth [\[help\]](#)

a. General description of the site: [\[help\]](#)

(circle one) Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#)

Unknown (5%-10% estimate)

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [\[help\]](#)

Land is sandy in this region

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#)

no

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#)

The whole section will be excavated and graded as needed and required by the building dept. If fill dirt is needed a Geo-technical Engineer will inspect soil and compaction to insure stability.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#)

I do not believe construction and grading of the property will, or could cause erosion.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)

As we have not yet gotten approval we have not drawn out exactly how things will lay out. We anticipate roughly 50%-75% will be covered by building or roadways.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#)

Around the property during construction we use fences to keep sand in and out of others yards.

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#)

Car emissions from trucks and cars, Asphalt emissions, Paint emissions, dust blowing, and any other common construction emissions.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#)

I do not know of any

c. Proposed measures to reduce or control emissions or other impacts to air, if any: [\[help\]](#)

We will use water to keep down the sand in the air and dust blowing.

3. Water [\[help\]](#)

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [\[help\]](#)

The Golf course has man made ponds. There are 2 ponds located near our proposed building site.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [\[help\]](#)

All work will be done at least 200ft from ponds

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#)

There will be none.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

No there will not

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)

No property is above the 100 Year floodplain

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)

No waste material will be discharged into water.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

All new units will be hooked up to city water. No wells will be used.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [\[help\]](#)

All new units will be hooked up to city sewer. No septic systems will be used.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [\[help\]](#)

As this is a development, we will provide stormwater drains per the city's request. Water will not flow to other waters.

- 2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)

Not that I am aware of. We will build sewer system per COR requirements.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [\[help\]](#)

No

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [\[help\]](#)

Stormwater will be captured and infiltrated based on COR requirements

4. Plants [\[help\]](#)

- a. Check the types of vegetation found on the site: [\[help\]](#)

☐ deciduous tree: alder, maple, aspen, other
☐ evergreen tree: fir, cedar, pine, other
☒ shrubs
☒ grass
☐ pasture
☐ crop or grain
☐ Orchards, vineyards or other permanent crops.
☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
☐ water plants: water lily, eelgrass, milfoil, other
☐ other types of vegetation

- b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)

Proposal includes grading and removal of shrubs and grass to create multi family housing. Most of current vegetation will not remain.

- c. List threatened and endangered species known to be on or near the site. [\[help\]](#)

I do not know of any endangered species on or near the site.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)

Yards and walkways will have grass, and decorative plants

- e. List all noxious weeds and invasive species known to be on or near the site. [\[help\]](#)

unknown

I do not know of any on or near the site.

5. Animals [\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [\[help\]](#)

Birds, Rabbits, Deer, Coyotes

- b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)
unknown

- c. Is the site part of a migration route? If so, explain. [\[help\]](#)
unknown

- d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)

All around the Horn Rapids Development is land where the wildlife may habitat. We plan to leave the surrounding areas untouched.

- e. List any invasive animal species known to be on or near the site. [\[help\]](#)
unknown

6. Energy and Natural Resources [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [\[help\]](#)

Electric and Natural Gas will be used to heat and cool multi-family dwellings.

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe. [\[help\]](#)
No

- c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any: [\[help\]](#)

We abide by the Washington State Energy Codes. All dwellings will meet this criteria of energy and environmental conservation.

7. Environmental Health [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?
If so, describe. [\[help\]](#)

Unknown

- 1) Describe any known or possible contamination at the site from present or past uses.
[\[help\]](#)

Unknown

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [\[help\]](#)
There is natural gas line in the Horn Rapids community. Not sure if they are on this property.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced

during the project's development or construction, or at any time during the operating life of the project. [\[help\]](#)

Natural Gas

- 4) Describe special emergency services that might be required. [\[help\]](#)
Standard local emergency services. EMS, Police and Fire, those identical to the needs of the current Horn Rapids Development
- 5) Proposed measures to reduce or control environmental health hazards, if any: [\[help\]](#)
Call before we dig and have the land surveyed.

b. Noise [\[help\]](#)

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#)

Highway 240 traffic, Road traffic, Park across the street, golfing.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [\[help\]](#)

Construction would be the largest short term noise impact. Long term as more dwelling are developed more traffic.

- 3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)

Set construction hours to normal day work hours to keep the times when most people are home free from construction noise.

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#)

Current use is Golf pro shop, banquet facility, parking, and open unused land. The proposal will clean up the unused eyesore and build multifamily units for more to enjoy the golfcourse and Horn Rapids ammenties. This will not affect other uses adjacent properties use.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#)

No

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: [\[help\]](#)

No

- c. Describe any structures on the site. [\[help\]](#)

Horn Rapids Proshop and Deli

Horn Rapids Banquet Facility

Horn Rapids Golf Cart Barn
Horn Rapids Private Cart Barn
Horn Rapids Bathrooms

d. Will any structures be demolished? If so, what? [\[help\]](#)

Yes

Horn Rapids Golf Cart Barn
Horn Rapids Private Cart Barn
Horn Rapids Bathrooms

e. What is the current zoning classification of the site? [\[help\]](#)

Agriculture and PUD (Planned Unit Development)

f. What is the current comprehensive plan designation of the site? [\[help\]](#)

Agriculture and PUD (Planned Unit Development)

g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)

Not Applicable

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

[\[help\]](#)

No

i. Approximately how many people would reside or work in the completed project? [\[help\]](#)

As much as 300

j. Approximately how many people would the completed project displace? [\[help\]](#)

None

k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)

N/A

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)

Our proposal is compatible with the current Horn Rapids Development. We will offer another type of living they currently do not have (townhomes)

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: [\[help\]](#)

Maintaining current environment around site

9. Housing [\[help\]](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [\[help\]](#)

Up to 150 units of middle income housing

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#)

0

- c. Proposed measures to reduce or control housing impacts, if any: [\[help\]](#)

We plan to build in phases to reduce the sudden influx of so many new tenants.

10. Aesthetics [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)

50' max although I think most will be about 30'. Exterior will be stucco, stone, and siding.

- b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)

Views of the Golf Course. But the new units would have views from the living space.

- b. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

Build to fit in with the surrounding building/homes.

11. Light and Glare [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)

Normal housing lighting. Night time.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)

No

- c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)

Water from the ponds could glare the sunlight.

- d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

Use lighting that is not too bright and flows with what is already in Horn Rapids.

12. Recreation [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)

Golfing, Swimming pool, Park, walking paths.

- b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)

No

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

We will not block or hinder access to walking paths or cart paths.

13. Historic and cultural preservation [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe. [\[help\]](#)

No

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#)

No/Unknown

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)

N/A

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. [\[help\]](#)

N/A

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)

Highway 240. Clubhouse Lane, River Valley Dr.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)

No, Nearest route is Route 123.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)

Parking will be approved by City of Richland. We plan to have at least 2 parking stalls per unit and 2 additional. Golf Course will have roughly 80 parking stall unless city requires differently.

- c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#)

- d. No

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)

No

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)

Residential vehicular trips would be daily, main busy hours before work and after. 200-300trips.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [\[help\]](#)
no

h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

Work with City of Richland for best solutions in entrance and exits that will impact transportation the least.

15. Public Services [\[help\]](#)

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)
No.

b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)

N/A

16. Utilities [\[help\]](#)

a. Circle utilities currently available at the site: [\[help\]](#)

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____ Well for water _____

e. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [\[help\]](#)

Electrical, Natural Gas, Sewer, Garbage Services, city water.

C. Signature [\[help\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Brad Rew

Name of signee Brad Rew

Position and Agency/Organization President

Date Submitted: 9/27/2018 _____



Planning & Development Services Division • Long-Range Planning Section
840 Northgate Drive • Richland, WA 99352
General Information: 509/942-7794 • Fax: 509/942-7764

PETITION TO AMEND COMPREHENSIVE PLAN
(Including City Staff Comprehensive Plan Amendment Checklist)

Applicant or Sponsor <u>Michael Van Beek on behalf of RF + ES</u>			
Address <u>1000 G.W.W.</u>		City <u>Richland</u>	State <u>WA</u> Zip <u>99352</u>
Phone Number <u>942-7573</u>	Fax Number <u>942-7568</u>	Other/E-Mail Address	
Engineer/Architect Information (if applicable)			
Engineer/Architect		Registration/License Number	
Address		City	State Zip
Phone Number	Fax Number	Other/E-Mail Address	

Proposed Plan Amendment: Please indicate type of amendment and its location within the Comprehensive Plan:

☒ Text Amendment: Element Capital Facilities Section CF Goal 12 Subsections _____

☐ Map Amendment: Element _____ Map Number _____

Describe your Proposed Amendment (provide suggested new language): use additional sheets as necessary.

See Attached

Describe why the amendment should be made and why it is in the public interest (e.g., correcting an error, improving consistency, addressing a need that is currently lacking, etc.)

See Attached

Describe how the current language or map designation affects you or your property.

N/A

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COMPLETE.

DATED THIS 5th DAY OF October, 2016.



Applicant's Signature

Applicant's Signature

1000 G.W.W

Address

Address

Richland, WA 99352

City, State, Zip

City, State, Zip

509-366-9189

Phone

Phone

FOR OFFICE USE ONLY

Please provide the following with your Comprehensive Plan Amendment Application:

- Ownership Report from Title Company Listing Owners Within 300' of the subject property
- SEPA Checklist, if applicable
- Complete Legal Description of Affected Property
- Application Fee

DESCRIBE YOUR PROPOSED AMENDMENT

Add the following to CF Goal 12 and relabel the current policy 3 to policy 4 on page 58.

Policy 3: The City will identify the funding mechanism to construct and staff Fire & Emergency Service facilities in areas of our city wherever 1350 or more employees work outside a 4 minute drive time from an existing Richland Fire & Emergency Services facility or a neighboring jurisdiction facility with similar staffing levels participating in an automatic aid agreement.

Please add the text below to the end of the Fire and Emergency Services and Facilities section on page 61.

The Richland Fire & Emergency Services Department has developed a facility deployment model based on the current and projected needs of the community over the next 10 years. This plan encompasses potential growth and development in the community, current and future urban growth boundaries, the City of Richland transportation improvement plan, and industry standard response times. The facility deployment model aligns with the City of Richland Core Focus Areas as well as meets the mission and vision of Richland Fire & Emergency Services.

DESCRIBE WHY THE AMENDMENT SHOULD BE MADE AND WHY IT IS IN THE PUBLIC INTEREST.

The addition of this policy allows the City of Richland to provide concurrent levels of service to those who work and live in the non-residential parts of the City. A good example of this occurs in the North Richland Research District. This policy provides an alternate trigger point to address life safety and infrastructure protection in non-residential areas. This trigger point also strengthens the reliability of our deployment model by providing back-up coverage to other areas of the City.

The number of employees trigger point (1350) was derived by taking the average number of people per household in Benton County (2.66) and multiplying it by 500. This gives you the same number of people served as 500 homes would. This formula helps align policy 3 with policy 1.

The addition of the text to the Fire and Emergency Services and Facilities section captures the current planning tools we are using to project the need for additional facilities and meet the needs of our community.

A. BACKGROUND

1. Name of proposed project, if applicable: Fire Station #73
2. Name of applicant: City of Richland c/o Joe Schiessl
3. Applicant contact information:
Address: 505 Swift Blvd.
Richland, wa 99352
Phone #: 942.7578
email address: jschiessl@ci.richland.wa.us
4. Date checklist prepared: Sept. 13, 18
5. Agency requesting checklist: City of Richland
6. Proposed timing or schedule (including phasing, if applicable):
Land use: 2018. Planning: 2019. Construction: 2020.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
none known.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
none known.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
none known.
10. List any government approvals or permits that will be needed for your proposal, if known.
Land use initial designation. Building permit.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
Parcel No: 1-34081000029000, 89,100^{sq} ft. Currently undeveloped.
Develop as an approx. 30,000 fire station w/ associated, ancillary public safety elements and site circulation and parking.
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.
Site is not addressed. Located at the SE corner of
Jadwin Ave & Stevens Dr.

...location cont'd:

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)? Zero %

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. Sandy loam

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. no

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

no fill. minimal grading to accomodate fire station footing & foundation and stormwater management.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. none anticipated. The building permit will require an erosion control plan.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? 60%.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Project will meet all air, water and storm requirements.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. Typical construction equipment operating legally w/ engine technology applicable to year of equipment.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. none known.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Meet all clean air authority requirements and comply as necessary.

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

no

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

no

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

none

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

no

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

no

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

no

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

no

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

none

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater will be collected and managed onsite.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

no

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

no

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

A stormwater plan will be prepared by a licensed engineer for review and approval by the City.

4. Plants

a. Check the types of vegetation found on the site:

- ___ deciduous tree: alder, maple, aspen, other
- ___ evergreen tree: fir, cedar, pine, other
- ___ shrubs
- ___ grass
- ___ pasture
- ___ crop or grain
- ___ Orchards, vineyards or other permanent crops.
- ___ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ___ water plants: water lily, eelgrass, milfoil, other
- ___ other types of vegetation

Site is unvegetated, except for noxious weeds

b. What kind and amount of vegetation will be removed or altered?

There is no vegetation on the site. It has been sterilized for many decades. Noxious weeds occasionally present.

c. List threatened and endangered species known to be on or near the site.

none known.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

A landscape plan will be developed by a licensed landscape architect and be reviewed against city landscape requirements.

e. List all noxious weeds and invasive species known to be on or near the site.

Sparse amounts of cheat grass and tumbleweeds, and other noxious weeds.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: none observed

birds: hawk, heron, eagle, songbirds, other: _____

mammals: deer, bear, elk, beaver, other: _____

fish: bass, salmon, trout, herring, shellfish, other: _____

- b. List any threatened and endangered species known to be on or near the site.

None Known.

- c. Is the site part of a migration route? If so, explain.

Yes, Richland is within the Pacific Flyway.

- d. Proposed measures to preserve or enhance wildlife, if any:

None needed.

- e. List any invasive animal species known to be on or near the site.

None Known.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

electric and natural gas for heating, cooling and lighting.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

no.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The project will meet the State Energy Code.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?

If so, describe.

no

- 1) Describe any known or possible contamination at the site from present or past uses.

None Known.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

none.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

The project includes limited use of compressed medical gasses.

- 4) Describe special emergency services that might be required.

none.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

The project will meet all local and state health codes.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

none

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Short term construction. Long term use of sirens for emergency responses from the proposed fire station.

- 3) Proposed measures to reduce or control noise impacts, if any:

none.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site is undeveloped. The project will not adversely impact nearby land uses.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? *no.*

- i) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: *no.*

- b. Describe any structures on the site.

no structures.

- d. Will any structures be demolished? If so, what?

no

- e. What is the current zoning classification of the site?

The site is unzoned.

- f. What is the current comprehensive plan designation of the site?

The site is undesignated.

- g. If applicable, what is the current shoreline master program designation of the site?

n/a

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. *no*

- i. Approximately how many people would reside or work in the completed project?

Maximum of six (6) / shift, 24 hrs/day, seven days/wk.

- j. Approximately how many people would the completed project displace?

zero.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

n/a

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: *Site design and architecture will respect and be compatible with surrounding land uses.*
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

n/a

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

n/a

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

n/a

- c. Proposed measures to reduce or control housing impacts, if any:

n/a

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? *Approximately 40 feet. Masonry, Metal, wood, composite, brick building materials.*

- b. What views in the immediate vicinity would be altered or obstructed?
The view from Tadwin Ave and Stevens Dr. would be affected.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Quality, municipal architectural design.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? *Exterior security lighting at night.*

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

no.

- c. What existing off-site sources of light or glare may affect your proposal?

none.

- d. Proposed measures to reduce or control light and glare impacts, if any: *Lighting fixtures will screen light and orient downward.*

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

none.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

no.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

n/a

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

no.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

no.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. Institutional Knowledge of the site.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. n/a

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.
Jadwin Ave and Stevens Drive. Access will occur on Jadwin Ave.
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?
yes, greater than 1,000 feet.
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? Creation of approximately 15 parking spaces. None eliminated.
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). Yes, an access drive will be designed by a licensed engineer onto Jadwin Ave for review and approval by the City.
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. An industrial rail spur w/in 1,500'. A regional airport w/in 2,500'.
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?
40 trips/day including emergency vehicle response and personal vehicle use (arrival-departure for shifts)

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

no.

h. Proposed measures to reduce or control transportation impacts, if any: The final project will be reviewed by the city and transportation impacts will be mitigated as part of the development review process.

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. na

b. Proposed measures to reduce or control direct impacts on public services, if any.

na

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other data, cable

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. City of Richland, Cascade Natural Gas, Charter Cable, GTE

phone (or Verizon).

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: [Signature]

Name of signee: Joe Schriessl

Position and Agency/Organization: Parks & Public Facilities Director, City of Richland

Date Submitted: 9-13-18

Community & Economic Development Department

This application was reviewed by the Planning Division of the Community & Economic Development Department. Any comments or changes made by the Department are entered in the body of the checklist and contain initials of the reviewer.

Reviewer Signature

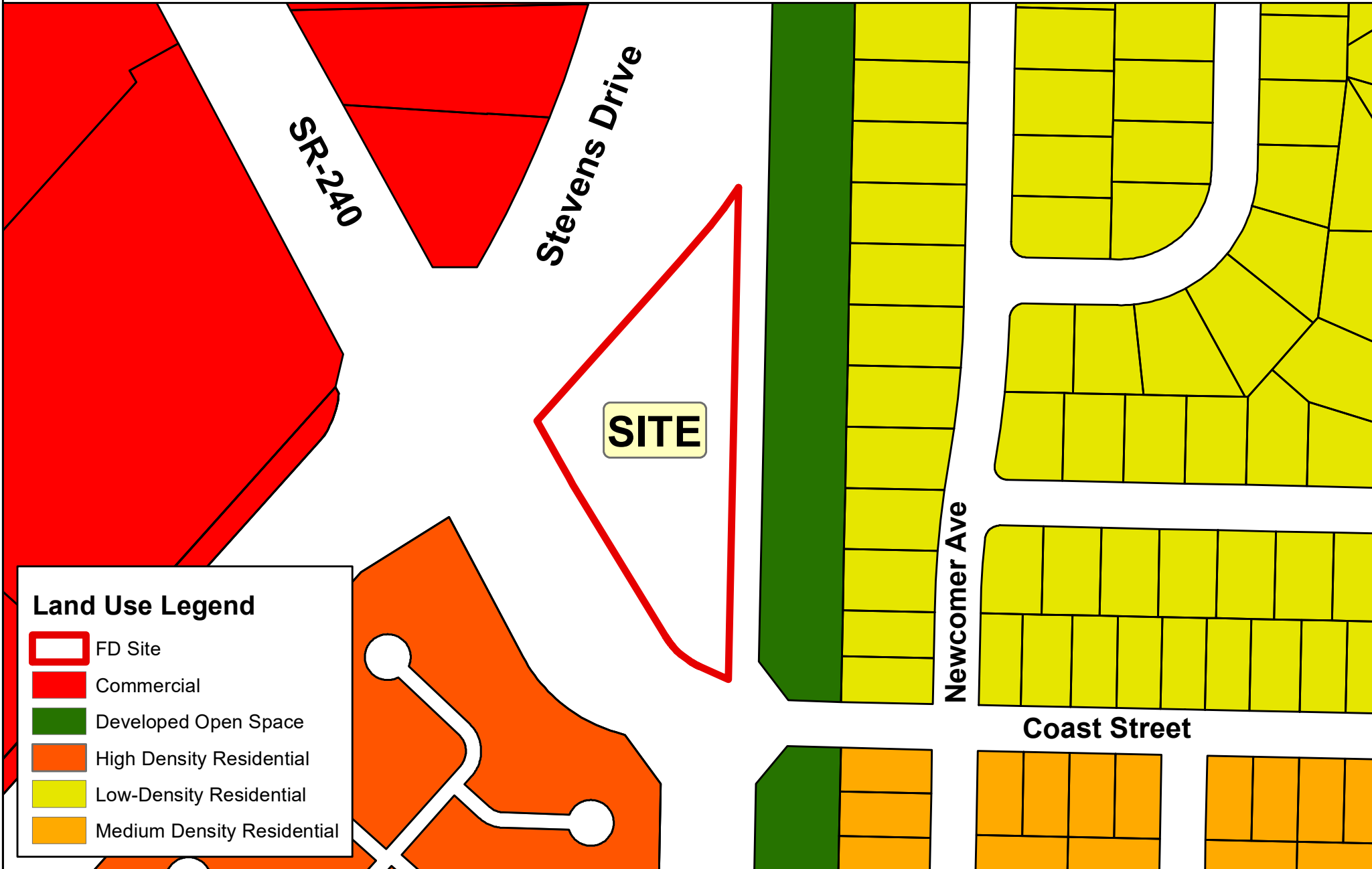
Date

D. supplemental sheet for nonproject actions

Land Use Map

COR Fire Department

N



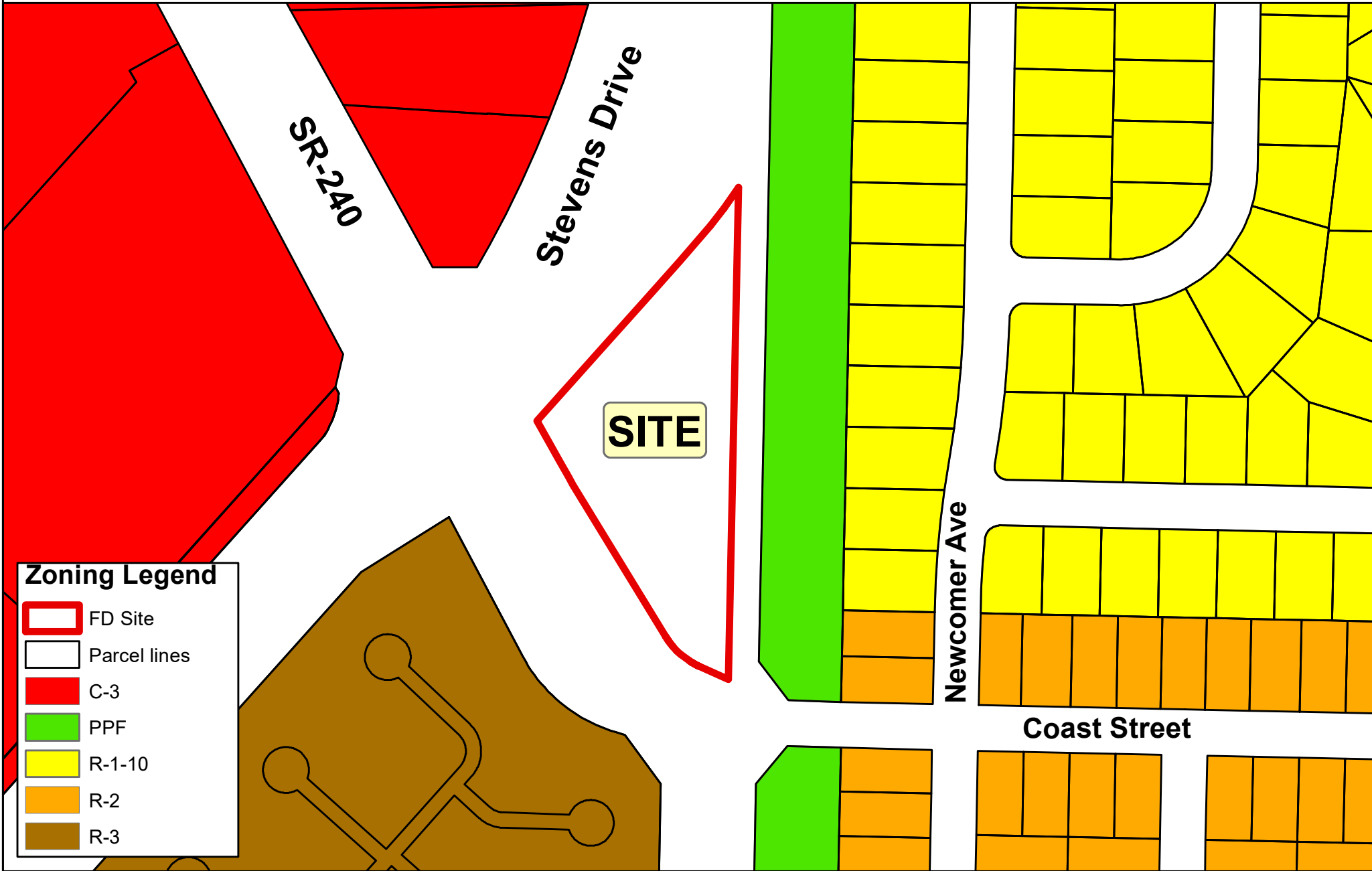
Land Use Legend

-  FD Site
-  Commercial
-  Developed Open Space
-  High Density Residential
-  Low-Density Residential
-  Medium Density Residential

Zoning Map

COR Fire Department

N





PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 6/26/2019

Agenda Category: New Business – Public Hearing

Prepared By: Shane O'Neill, Senior Planner

Subject:

SUL2019-100 - Sidewalk Use License - Dovetail Joint Restaurant Sidewalk Cafe

Request:

Core Focus Area 3 - Increase Economic Vitality

Recommended Motion:

Staff recommends approval of the sidewalk use license subject to the nineteen (19) conditions contained in the staff report.

Summary:

The Dovetail Joint Restaurant is requesting Sidewalk Use License approval allowing for the construction and operation of a cafe at 1368 Jadwin Avenue, within the Uptown Mall. As proposed, the outdoor cafe would consist of a 324 square foot area adjacent to the exterior wall of the tenant space, enclosed by a 4-foot-tall metal picket fence.

Attachments:

1. Full Staff Report - Dovetail Joint (SUL2019-100)

STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: SUL2019-100

PREPARED BY: SHANE O'NEILL
MEETING DATE: JUNE 26, 2019

GENERAL INFORMATION:

APPLICANT: MAREN & MATTHEW MCGOWAN

REQUEST: APPROVAL OF A SIDEWALK USE LICENSE TO AUTHORIZE THE
OPERATION OF A SIDEWALK CAFÉ IN THE UPTOWN MALL

LOCATION: 1368 JADWIN AVENUE

REASON FOR REQUEST

The applicant is requesting a sidewalk use license in order to offer outdoor food and beverage service to its customers on the public sidewalk immediately adjacent to the business located at 1368 Jadwin Avenue. As proposed, the outdoor café is comprised of 3.5-foot-tall perimeter fencing containing tables and chairs, covered by a pergola.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the application for a sidewalk use license SUL2019-100 and submits that:

Findings of Fact:

1. The Richland Comprehensive Plan designates the site as a part of the Central Business District land use category.
2. The site is located within the Uptown Mall, which contains commercial businesses exclusively. The closest residential properties are located approximately 225 feet west of the site.
3. In 2009, the City adopted Ordinance 04-09 which created a new Central Business District (CBD) zoning classification. Among other aims, the CBD zoning classification intends to encourage the transformation of the CBD from principally a strip commercial auto-oriented neighborhood to a more compact development pattern with buildings oriented to the fronting street. Outdoor seating for cafes and restaurants are specifically encouraged uses within the CBD as stated in the purpose section of Section 23.22.010 of the Richland Municipal Code.
4. Richland Municipal Code Chapter 5.14 adopted in 2009, provides specific criteria for the issuance of sidewalk use licenses. The application meets these criteria as detailed below:

- a. Section 5.14.040(A)(1) provides that sidewalk use licenses may be issued to the owner of the adjoining property or business. The applicant is the owner of the Dovetail Joint Restaurant.
- b. Section 5.14.040(A)(2) requires that the proposed use of the sidewalk would not unreasonably impair passage to and fro by the public on the sidewalk. The application, as proposed would provide a sidewalk width along the adjacent unnamed walkway of 4 feet that would remain available for public use. Although the Washington State Department of Transportation Field Guide for Accessible Public-Rights-of-Way does not control in this privately owned property setting, it does provide outdoor ADA accessibility dimensional requirements applicable to public sidewalks. The Guide indicates 4-feet of free and clear passage is necessary to accommodate people in wheelchairs.
- c. Section 5.14.040(A)(3) requires proposed sidewalk café users to obtain approved food-service permits from the health department and liquor licenses from the State Liquor and Cannabis Board. The recommended conditions of approval require that the applicant demonstrate to the City that required Health Department permits and liquor licensing are obtained prior to operation of the sidewalk café.
- d. Section 5.14.040(B)(1) provides the City authority to restrict the hours of operation and limit the number of table and chair placement. The recommended conditions of approval specify that the City may restrict the hours of operation if the sidewalk café results in noise problems.
- e. Section 5.14.040(B)(2) requires the applicant to maintain the sidewalk in a clean and safe condition. The recommended conditions of approval address this requirement.
- f. Section 5.14.040(B)(3) requires the applicant to clear the sidewalk as reasonably necessary to accommodate deliveries to nearby properties. The proposed design of the sidewalk café would not appear to impair adjoining businesses from receiving deliveries.
- g. Section 5.14.040(B)(4) provides the City authority to limit noise, lighting and placement of equipment for any sidewalk use license. The recommended conditions of approval identify that City standards for noise and lighting must be observed at all times and that no equipment shall be placed outside of the sidewalk café.
- h. Section 5.14.040(B)(5) requires the repair of damaged or failing improvements that present a public safety risk. The recommended conditions of approval require the applicant to maintain the facility in good repair at all times.
- i. Section 5.14.040(B)(6) requires indemnity documentation, insurance and surety instruments. The application materials presented to the City included a two million dollar certificate of liability insurance in favor of the City. The recommended conditions of approval require the applicant to sign a waiver holding the City harmless prior to the operation of the sidewalk café and

require the posting of a financial surety, if such is deemed necessary by the Public Works Department.

- j. Section 5.14.040(B)(7) requires the City to establish the duration of the license and a renewal procedure. The recommended conditions of approval indicate that the license shall remain valid for a period of two years and can be renewed for an additional two year terms administratively.
- k. Section 5.14.040(B)(8) requires that all furniture, equipment and other appurtenances remain clean, organized and in good repair. The recommended conditions of approval note this requirement.
- l. Section 5.14.050.A.3 allows liquor to be sold at a sidewalk café provided such activity is permitted through the Washington State Liquor [& Cannabis] Board prior to issuance of the sidewalk use license.
- m. Washington Administrative Code (WAC) 314-03-200 lists the prerequisites for outside or extended alcohol service by the State Liquor & Cannabis Board. The Board's requirements include local permitting and installation of 42-inch-tall fencing. The Board's requirements conflict with local zoning provisions [(RMC 5.14.050(A)(3)] requiring evidence of liquor licensing prior to issuance of the City Sidewalk Use License. The matter of liquor licensing is addressed in the set of proposed conditions of approval.
- n. Section 5.14.070 requires a public hearing before the Planning Commission for a sidewalk cafe and requires that notice of the hearing be posted on the property, mailed to owners within 300 feet and advertised in the newspaper. Notice was mailed to owners within 300 feet on May 30th and was posted in the front window of the Dovetail Joint Restaurant on May 29th. A legal ad appeared in the Tri-City Herald on June 9th.
- o. Section 5.14.080 requires the sidewalk to be returned to its original pre-license condition at no cost to the City at the time that the license expires or the sidewalk use ceases. The recommended conditions of approval note this requirement.
- p. Section 5.14.090(A) requires the applicant to sign a release of liability form. The application form signed by the applicant includes this waiver and so satisfies this requirement.
- q. Section 5.14.100(B) requires the posting of a financial surety to ensure that the sidewalk is returned to its pre-license condition at the conclusion of the license. The recommended conditions of approval provide for the posting of a surety in an amount deemed sufficient by the City Public Works Director, if such surety is deemed necessary.
- r. Section 5.14.100(C) requires the applicant to have insurance that covers the proposed sidewalk use and names the City as an additional insured, providing \$1,000,000 of accident insurance. The conditions of approval note this requirement which was met upon application.
- s. Section 5.14.130 provides design and a placement standard for sidewalk use and specifies a maximum height of fencing of 36 inches. However, the Liquor and Cannabis Board requires a fence height of 42 inches. The recommended conditions of approval require a fence height of 42 inches.

Conclusion of Law

5. **The application, as conditioned, meets all the applicable requirements set forth in RMC Chapter 5.14 for sidewalk cafes.**

Overall Conclusion

6. **The application for a sidewalk use license meets City code requirements, is located appropriately in the Central Business District, given the nature of the existing uses adjacent to the site and should be approved.**

RECOMMENDATION

Staff recommends that the Planning Commission concur with the findings and conclusions set forth in Staff Report SUL2019-100 and approve the request for a sidewalk use license to operate a sidewalk cafe subject to the following conditions:

1. Prior to installing fencing, the applicant shall obtain a fence placement permit approved by the Development Services Department and the Public Works Department; and
2. Prior to constructing a pergola, awning or any such over-head cover or canopy, the applicant shall obtain an approved building permit; and
3. Railings and/or fencing on the sidewalk on the north side of 1368 Jadwin Avenue shall provide a clear path of travel no less than four (4) feet-wide, between the proposed railing that denotes the boundary of the outdoor café and the adjacent landscaping island; and
4. Pursuant to RMC 5.14.050, prior to operation of the sidewalk café, the applicant shall obtain and document to the City, required health department permit(s) for outdoor food; and
5. Pursuant to RMC 5.14.050, prior to operation of the sidewalk café, the applicant shall obtain and document to the City, permit(s) for outdoor liquor sales and consumption from the State of Washington Liquor & Cannabis Board; and
6. Pursuant to RMC 5.14.100(C), the applicant shall maintain insurance coverage for the proposed sidewalk use and names the City as an additional insured, providing \$1,000,000 of accident insurance; and
7. If operation of the sidewalk café results in noise complaints from neighboring tenants, and those complaints are determined to be valid by the City, the Planning Commission may conduct a public hearing and decide to restrict the hours of operation of the sidewalk café and/or may revoke the sidewalk use license; and
8. The applicant shall at all times maintain the adjoining sidewalk in a clean and safe condition for pedestrian travel; and
9. Any outdoor lighting installed to serve the sidewalk café shall meet the outdoor lighting standards as specified in RMC Chapter 23.58; and
10. The applicant shall comply with City noise standards of RMC 9.16.045 at all times.

11. No equipment, other than tables and chairs, shall be placed or stored outside of the railing of the sidewalk café at any time; and
12. The license shall be valid for a period of two years from the date of its issuance. An application for license renewal may be reviewed and approved administratively by the Development Services Division for additional two year periods; and
13. All items placed within the sidewalk café shall be kept clean, in good repair at all times; and
14. The applicant shall be responsible for enforcement of state regulations concerning smoking within 25 feet of the entrance to the building; and
15. At the time the sidewalk use license expires or the sidewalk use ceases, the applicant shall return the sidewalk to its original, pre-license condition; and
16. The City retains the right to revoke the sidewalk use license (SUL2019-100) at any time and for any reason. In the event the City exercises this right, a 60-day notice of closure will be issued. Within 60-days from the date on the notice, the sidewalk café area must be restored to its original condition, free of any items or features installed on the subject sidewalk area as part of this license; and
17. Prior to the operation of the sidewalk café, the applicant shall submit a plan to the City Public Works Department identifying how the fencing will be affixed to the sidewalk. The Public Works Department may determine that a financial surety is required to ensure that the sidewalk is returned to its pre-license condition. In such a case, the Department will determine the amount and form of the financial surety, which shall be posted prior installation of the improvements; and
18. Perimeter railing/fencing shall not exceed 42 inches in height and shall allow at least 50% visibility; and
19. To provide safe emergency egress from the outdoor patio/café perimeter railing/fencing shall contain a gate no less than three (3) feet wide which shall not be locked at any time.

EXHIBITS

1. Application
2. Liability Insurance
3. Site Plan
4. Maps
5. Notices & Affidavits
6. RMC Chapter 5.14 – Sidewalk Use Licenses
7. Site Photos & Images

ATTACHMENT A
(SUL2019-100)

SUPPLEMENTAL INFORMATION

PROPOSED DEVELOPMENT

The Dovetail Joint Restaurant proposes to operate a sidewalk café adjacent to their business located at 1368 Jadwin Avenue. The proposed café would be located adjacent to the northerly exterior wall of their business and would enclose a 324 square-foot portion of the pedestrian walkway between two buildings within the Uptown Mall.

The applicants propose to enclose an area of the public sidewalk measuring approximately 8.25' x 39.25' adjacent to the north wall of the building addressed 1368 Jadwin Avenue; centrally located within the Uptown Mall. A 4-foot (48-inch) high railing will establish boundaries of the café by enclosing the café on three sides. Entrance into the café area would be from an existing door into the building. Placement of the railing would leave a sidewalk width of between 4 to 6 feet for pedestrian use. Dimensional variation of the pedestrian walkway is due to the presence of City-owned benches on the walkway, which the Parks Department has indicated are available for re-location if the need arises.

As proposed, the café area would extend five (5) feet forward of the front (west wall) of the restaurant building; leaving approximately five (5) feet of passable walkway available to pedestrians between the restaurant and a tree. The site plan (Exhibit 3) indicates several planter boxes placed on the north and west perimeter fencing.

SPECIFIC CODE REQUIREMENTS

In 2009, the City adopted sidewalk use license regulations. This code provides a licensing requirement for the use of public sidewalks. Cafes, including those serving alcohol, are among the list of uses permitted through the licensing regulations. The code includes specific requirements for insurance, requires that the applicant enter into a hold harmless agreement with the City and provides specific standards of operation. The code specifies that the Planning Commission will hold a public hearing and decide certain categories of sidewalk use licenses, including those that involve sidewalk cafes. A complete copy of the sidewalk use regulations is attached herein as Exhibit 6.

SITE DATA

The setting for sidewalk cafés typically involves a café placed on a street-side sidewalk in front of a restaurant. The location and circumstances surrounding this proposal are somewhat different in that the “sidewalk” here belongs to the 15-acre parcel surrounding the buildings in the Uptown Mall. Because this 15-acre parcel is owned and maintained by the City, it qualifies as “public” property; therefore triggering the need for a sidewalk use

license. The subject walkway is approximately 40-feet-wide and divides the building to the north from the building to the south. Central to the walkway are two rectangular in-ground landscape planters containing one tree each. There are two public benches on each side of both planters, which the Parks Department has offered to remove if the need arises.

Size: The subject site includes approximately 39 feet of frontage along the public sidewalk, extending approximately 8.25-feet outward from the northerly exterior building wall.

Physical features: Portions of the sidewalk proposed for the sidewalk café are level and contain landscape planters with trees. There are public benches beside each landscape planter. The planters divide the 40-foot-wide walkway into two separate walkways. As such, if the café creates some degree of constraint for pedestrian passage nearest the Dovetail Joint restaurant there is another walkway nine feet to the north.

SURROUNDING ZONING AND LAND USE

The Uptown Mall is zoned CBD – Central Business District. Considering the café site is centrally located within the Uptown Mall, all that surrounds the café site is zoned CBD.

The stated purpose of the CBD zone is to encourage the transformation of the area from principally a strip commercial auto-oriented neighborhood to a more compact development pattern. RMC Section 23.22.010 states in pertinent part:

“The Central Business District is envisioned to become a center for housing, employment, shopping, recreation, professional service and culture. The uses and development pattern will be integrated and complementary to create a lively and self-supporting district. Medium rise buildings will be anchored by pedestrian oriented storefronts on the ground floor with other uses including housing on upper floors. Projects will be well designed and include quality building materials. Appropriate private development will be encouraged via public investments in the streetscape and through reduction in off-street parking standards. Uses shall generally be conducted completely within an enclosed building, except that outdoor seating for cafes, restaurants, and similar uses and outdoor product display is encouraged. Buildings shall be oriented to the fronting street or accessway, to promote a sense of enclosure and continuity along the street or accessway.”

ANALYSIS

The City adopted sidewalk use regulations in 2009 in part to provide for sidewalk uses that would increase public use, enjoyment and safety of public spaces. Sidewalk cafes can be a great way to encourage walking, add vitality to the street, and promote local economic development. The location of the site within the CBD zone is consistent with the proposed use as well. Outdoor seating for cafés, restaurants and similar uses is specifically encouraged within the purpose statement of the zone. Informal outdoor seating areas are already in place on some of the adjacent businesses. Given that the

restaurant will be serving alcohol, Washington State Liquor and Cannabis Board regulations mandate that any outdoor seating spaces for this use would be enclosed with a 4-foot-tall railing. It appears that the sidewalk use regulations are working as originally anticipated, adding activity and vitality to the street frontages in the District. The proposed outdoor café application will simply add to this atmosphere.

The standards contained within the City sidewalk use regulations have been satisfied, provided that a list of recommended conditions is followed.

SUMMARY

The application for the use of a public sidewalk for a sidewalk café is consistent with the City's goals for the CBD zone and should be approved subject to compliance with all applicable standards contained in the City's sidewalk use regulations. Furthermore, due to the site's central location within the Uptown Mall, Planning staff anticipates the proposed café will have no adverse impacts to surrounding properties.

Exhibit 1



**City of Richland
Development Services**

505 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
✉ (509) 942-7764

Sidewalk Use License Application SUL2019-100

Project Information		
Name of Project (if applicable): DOVETAIL JOINT RESTAURANT — PATIO DINING AREA		
Project Site Address: 1368 JADWIN AVE, RICHLAND — UPTOWN PLAZA		
Parcel Number: 102983020708011		
Owner		
Name: MSR Properties, Craig Armstrong		
Address: 1324 Vendels Circle #121, Paso Robles, CA 93446		
Phone: (805) 286-6033	Fax:	Email: carmstrong@arbiter.com
Applicant		
Name: Maren and Matt McGowan, Hole In The Ocean, Inc. DBA: Dovetail Joint Restaurant		
Address: 1368 Jadwin Ave, Richland, WA 99354		
Phone: 509-578-1919	Fax:	Email: info@dovetailjointrestaurant.com
Contact		
Name: Maren McGowan		
Address: 1418 Oxford Ave, Richland, WA 99352		
Phone: 541-490-5466	Fax:	Email: info@dovetailjointrestaurant.com
Proposed Project Description: Please provide a brief description of the proposed sidewalk use including the desired space to be used, modifications to city infrastructure, equipment and/or furniture proposed, days and hours of operation, and any light or noise impacts that will be associated with the proposal. Use an additional sheet of paper if necessary: We would like to create additional outdoor dining space with a fence, per requirements from the WA State Liquor Board. This would incur minimal noise during installation. The only other changes would be tables and chairs in the patio area. The proposed space will be located on the north side of the building, please see drawing. Guests will enter the patio area directly from inside the restaurant.		

Zoning Designation: CBD

Adjacent Land Uses (be specific including business names):

North: The proposed location is within the breezeway on the north side.

South:

East:

West:

There are no other uses other than the common area benches.

Check all that apply:

☒ Liquor will be served at a sidewalk café.

A liquor license must be obtained from the State of Washington that contemplates the sidewalk use area before a license may be issued by the City. Please attach: A private insurance policy naming the City as an additional insured and a hold harmless agreement are required for the duration of the license (see requirements below).

☒ Food and beverages will be served at a sidewalk café or vending cart.

A food and beverage license must be obtained from the Benton County Health Department that contemplates the sidewalk use area before a license may be issued by the City. Please attach: A private insurance policy naming the City as an additional insured and a hold harmless agreement are required for the duration of the license (see requirements below).

☐ The sidewalk or other City infrastructure will be modified.

A surety instrument may be required to ensure the return of City infrastructure to original, pre-license condition at the termination of the sidewalk use depending on the extent of modification proposed to City infrastructure. A private insurance policy naming the City as an additional insured and a hold harmless agreement are required for the duration of the license (see requirements below).

☐ The City airspace will be used for signage, building elements, canopies, awnings, flags, or other private facilities.

Any proposed signage that is on or above City sidewalks, property or right of way must concurrently apply for a sign permit. A sidewalk use license will not be issued until the associated sign permit is authorized. A private insurance policy naming the City as an additional insured and a hold harmless agreement are required for the duration of the license (see requirements below).

☐ Other, please describe.

Insurance Required

The licensee shall procure and maintain for the duration of the license and for 30 days following termination of the license, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the licensee, their agents, representative, employees or subcontractors. Licensee's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the contractor to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

The licensee shall provide a Certificate of Insurance and an additional insured endorsement page (s) evidencing: Commercial General Liability insurance written on an ISO occurrence basis for CG00 01 and shall cover liability arising from premises, operations, property damage, independent contractors and personal injury and advertising injury, with limits no less than \$1,000,000 combined single limit per occurrence and \$2,000,000 aggregate. The City shall be named as an additional insured on the insurance policy with respect to work performed by or on behalf of the Licensee and a copy of the endorsement naming the City as an additional insured shall be attached to the Certificate of Insurance prior to issuance of the sidewalk use license. The Licensee's insurance shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

The Licensee's insurance shall be primary insurance with respect to the City and the City shall be given at least thirty (30) days prior written notice of a cancellation, suspension or material change in coverage.

Any payment of deductible or self-insured retention shall be the sole responsibility of the licenses.

This certificate must be submitted along with an original copy of the endorsement naming the City as an additional insured and be acceptable to the City prior to issuance of the sidewalk use license.

Hold Harmless Agreement Required

Licensee (applicant) shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of, or in connection with, their performance under this license, except for injuries and damages caused by the sole negligence of the City. Should a court of competent jurisdiction determine that this license is subject to RCW 4.24.225, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the licensee and the City, its officers, officials, employee's, and volunteers, the licensee's hereunder shall be only to the extent of the liabilities negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the licensee's waiver of immunity under industrial insurance, Title 51 RCW, solely for the purposes of this indemnification. The provisions of this section shall survive the expiration or termination of this license.

The parties mutually agreed upon this waiver. This indemnity provision shall not apply in the event any acts or omissions of the City were the sole cause of any such damage or injury. To the extent any of the damages referenced herein were caused by or resulted from the concurrent negligence of the City, its agents or employees and the licensee, its officers, or employees and the licensee, its officers, or employees and the licensee, its officers, agents, and employees, this obligation to indemnify, defend and hold harmless is valid and enforceable only to the extent of the negligence of the licensee, its officers, agents, and employees.

No vested rights. It is understood and agreed by the licensee that the permission to occupy the above described public place hereby contemplated is wholly of a temporary nature, vests no permanent rights whatsoever, and that upon thirty (30) days' notice, posted on the premises, or by publication in the official newspaper, or without such notice, in case such use or occupation shall become dangerous or such structure shall become unsecured or unsafe, or shall not be constructed, maintained or used in accordance with the approved conditions of approval, the same may be revoked and the structures and obstructions ordered removed.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

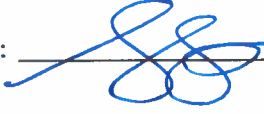
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Daveetail Joint Restaurant, by Mark M Gowan

Applicant Signature:  Date 4/12/19

Sidewalk Use License Application
Proposed Project Description

Dovetail Joint Restaurant
1368 Jadwin Ave
Richland, WA 99352
Uptown Plaza

We would like to create an outdoor dining space with the following specifications:

- dimensions of approximately 36' W x 9' D
- 42" high fence, per liquor board regulation
- bench seating along the length of the fence, plus tables and chairs
- pergola cover constructed by licensed contractor with appropriate required permits
- planter boxes placed along outside of fence
- exit gate on east end, 36 inches wide with self-locking latch

Please see attached drawing showing specifications, as well as existing walkways and space for pedestrian traffic. With the patio in place, there will be ample room to allow for pedestrian traffic in the breezeway. We have also allowed for plenty of ADA access in the patio area. Fence will be professionally constructed, and planter boxes will add ambience to our outdoor dining area, as well as the breezeway area.



Example of modern design



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/28/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Liberty Mutual Insurance PO Box 188065 Fairfield, OH 45018		CONTACT NAME: PHONE (A/C, No, Ext): 800-962-7132 FAX (A/C, No): 800-845-3666 E-MAIL ADDRESS: BusinessService@LibertyMutual.com	
INSURED Hole In The Ocean, Inc 1418 Oxford Ave C/O Maren McGowan Richland WA 99352		INSURER(S) AFFORDING COVERAGE INSURER A : Ohio Security Insurance Company NAIC # 24082 INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :	

COVERAGES

CERTIFICATE NUMBER: 47776781

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	☒		BKS58369611	11/5/2018	11/5/2019	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$15,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS NON-OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS/ LOCATIONS/ VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Richland is Additional Insured if required by written contract or written agreement subject to General Liability Blanket Additional Insured Provision. This Policy is Primary and we will not ask for Contribution of the policy issued to the Additional Insured.
 *30 Day Notice of Cancellation *10 Day Notice of Cancellation for Cancellation for Non-Payment of Premium.

CERTIFICATE HOLDER

CANCELLATION

City of Richland Development Services 505 Swift Blvd. MS-35 Richland WA 99352	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Jennifer Olivencia
--	---

Jennifer Olivencia

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ACORD 25 (2016/03)

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

AMENDMENT OF CANCELLATION PROVISIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

Any term or provision of the Cancellation Conditions of the policy or any endorsement amending or replacing such Conditions is amended by the following:

- A.** If we cancel this policy for any reason other than nonpayment of premium, we will notify the person or organization shown in the Schedule below. In no event will the notice to the person or organization scheduled below exceed the notice to the first named insured.
- B.** Our obligation to send notice to the person or organization listed in the Schedule below will terminate at the earlier of the current policy period expiration or when you no longer have a legal or contractual obligation to such person or organization to maintain insurance coverage under a policy which requires that such person or organization be notified in the event of cancellation.

SCHEDULE

- 1. Name:**
City of Richland
Development Services
- 2. Address:**
505 Swift Blvd. MS-35
Richland, WA 99352
- 3. Number of days advance notice:** 30

All other terms and conditions of this policy remain unchanged.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

COMMERCIAL GENERAL LIABILITY EXTENSION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

INDEX

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With respect to coverage afforded by this endorsement, the provisions of the policy apply unless modified by the endorsement.

A. NON-OWNED AIRCRAFT

Under Paragraph 2. Exclusions of Section I – Coverage A - Bodily Injury And Property Damage Liability, exclusion g. Aircraft, Auto Or Watercraft does not apply to an aircraft provided:

1. It is not owned by any insured;
2. It is hired, chartered or loaned with a trained paid crew;
3. The pilot in command holds a currently effective certificate, issued by the duly constituted authority of the United States of America or Canada, designating her or him a commercial or airline pilot; and
4. It is not being used to carry persons or property for a charge.

However, the insurance afforded by this provision does not apply if there is available to the insured other valid and collectible insurance, whether primary, excess (other than insurance written to apply specifically in excess of this policy), contingent or on any other basis, that would also apply to the loss covered under this provision.

B. NON-OWNED WATERCRAFT

Under Paragraph 2. Exclusions of Section I – Coverage A – Bodily Injury And Property Damage Liability, Subparagraph (2) of exclusion g. Aircraft, Auto Or Watercraft is replaced by the following:

This exclusion does not apply to:

- (2) A watercraft you do not own that is:
 - (a) Less than 52 feet long; and
 - (b) Not being used to carry persons or property for a charge.

C. PROPERTY DAMAGE LIABILITY – ELEVATORS

1. Under Paragraph 2. Exclusions of Section I – Coverage A – Bodily Injury And Property Damage Liability, Subparagraphs (3), (4) and (6) of exclusion j. Damage To Property do not apply if such "property damage" results from the use of elevators. For the purpose of this provision, elevators do not include vehicle lifts. Vehicle lifts are lifts or hoists used in automobile service or repair operations.
2. The following is added to Section IV – Commercial General Liability Conditions, Condition 4. Other Insurance, Paragraph b. Excess Insurance:

The insurance afforded by this provision of this endorsement is excess over any property insurance, whether primary, excess, contingent or on any other basis.

D. EXTENDED DAMAGE TO PROPERTY RENTED TO YOU (Tenant's Property Damage)

If Damage To Premises Rented To You is not otherwise excluded from this Coverage Part:

1. Under Paragraph 2. Exclusions of Section I - Coverage A - Bodily Injury and Property Damage Liability:
 - a. The fourth from the last paragraph of exclusion j. Damage To Property is replaced by the following:

Paragraphs (1), (3) and (4) of this exclusion do not apply to "property damage" (other than damage by fire, lightning, explosion, smoke, or leakage from an automatic fire protection system) to:

 - (i) Premises rented to you for a period of 7 or fewer consecutive days; or
 - (ii) Contents that you rent or lease as part of a premises rental or lease agreement for a period of more than 7 days.

Paragraphs (1), (3) and (4) of this exclusion do not apply to "property damage" to contents of premises rented to you for a period of 7 or fewer consecutive days.

A separate limit of insurance applies to this coverage as described in Section III – Limits of Insurance.

- b. The last paragraph of subsection **2. Exclusions** is replaced by the following:
Exclusions **c.** through **n.** do not apply to damage by fire, lightning, explosion, smoke or leakage from automatic fire protection systems to premises while rented to you or temporarily occupied by you with permission of the owner. A separate limit of insurance applies to Damage To Premises Rented To You as described in **Section III – Limits Of Insurance.**
- 2. Paragraph **6.** under **Section III – Limits Of Insurance** is replaced by the following:
 - 6. Subject to Paragraph **5.** above, the Damage To Premises Rented To You Limit is the most we will pay under Coverage **A** for damages because of "property damage" to:
 - a. Any one premise:
 - (1) While rented to you; or
 - (2) While rented to you or temporarily occupied by you with permission of the owner for damage by fire, lightning, explosion, smoke or leakage from automatic protection systems; or
 - b. Contents that you rent or lease as part of a premises rental or lease agreement.
- 3. As regards coverage provided by this provision **D. EXTENDED DAMAGE TO PROPERTY RENTED TO YOU (Tenant's Property Damage)** - Paragraph **9.a.** of **Definitions** is replaced with the following:
 - 9.a. A contract for a lease of premises. However, that portion of the contract for a lease of premises that indemnifies any person or organization for damage by fire, lightning, explosion, smoke, or leakage from automatic fire protection systems to premises while rented to you or temporarily occupied by you with the permission of the owner, or for damage to contents of such premises that are included in your premises rental or lease agreement, is not an "insured contract".

E. MEDICAL PAYMENTS EXTENSION

If Coverage **C Medical Payments** is not otherwise excluded, the Medical Payments provided by this policy are amended as follows:

Under Paragraph **1. Insuring Agreement** of **Section I – Coverage C – Medical Payments**, Subparagraph **(b)** of Paragraph **a.** is replaced by the following:

- (b)** The expenses are incurred and reported within three years of the date of the accident; and

F. EXTENSION OF SUPPLEMENTARY PAYMENTS – COVERAGES A AND B

- 1. Under **Supplementary Payments – Coverages A and B**, Paragraph **1.b.** is replaced by the following:
 - b. Up to **\$3,000** for cost of bail bonds required because of accidents or traffic law violations arising out of the use of any vehicle to which the Bodily Injury Liability Coverage applies. We do not have to furnish these bonds.
- 2. Paragraph **1.d.** is replaced by the following:
 - d. All reasonable expenses incurred by the insured at our request to assist us in the investigation or defense of the claim or "suit", including actual loss of earnings up to **\$500** a day because of time off from work.

G. ADDITIONAL INSURED - BY CONTRACT, AGREEMENT OR PERMIT

- 1. Paragraph **2.** under **Section II – Who Is An Insured** is amended to include as an insured any person or organization whom you have agreed to add as an additional insured in a written contract, written agreement or permit. Such person or organization is an additional insured but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused in whole or in part by:
 - a. Your acts or omissions, or the acts or omissions of those acting on your behalf, in the performance of your on going operations for the additional insured that are the subject of the written contract or written agreement provided that the "bodily injury" or "property damage" occurs, or the "personal and advertising injury" is committed, subsequent to the signing of such written contract or written agreement; or

- b. Premises or facilities rented by you or used by you; or
- c. The maintenance, operation or use by you of equipment rented or leased to you by such person or organization; or
- d. Operations performed by you or on your behalf for which the state or political subdivision has issued a permit subject to the following additional provisions:
 - (1) This insurance does not apply to "bodily injury", "property damage", or "personal and advertising injury" arising out of the operations performed for the state or political subdivision;
 - (2) This insurance does not apply to "bodily injury" or "property damage" included within the "completed operations hazard".
 - (3) Insurance applies to premises you own, rent, or control but only with respect to the following hazards:
 - a) The existence, maintenance, repair, construction, erection, or removal of advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoist away openings, sidewalk vaults, street banners, or decorations and similar exposures; or
 - (b) The construction, erection, or removal of elevators; or
 - (c) The ownership, maintenance, or use of any elevators covered by this insurance.

However:

- 1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
- 2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

With respect to Paragraph 1.a. above, a person's or organization's status as an additional insured under this endorsement ends when:

- (1) All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
- (2) That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

With respect to Paragraph 1.b. above, a person's or organization's status as an additional insured under this endorsement ends when their written contract or written agreement with you for such premises or facilities ends.

With respects to Paragraph 1.c. above, this insurance does not apply to any "occurrence" which takes place after the equipment rental or lease agreement has expired or you have returned such equipment to the lessor.

The insurance provided by this endorsement applies only if the written contract or written agreement is signed prior to the "bodily injury" or "property damage".

We have no duty to defend an additional insured under this endorsement until we receive written notice of a "suit" by the additional insured as required in Paragraph b. of Condition 2. **Duties In the Event Of Occurrence, Offense, Claim Or Suit under Section IV – Commercial General Liability Conditions.**

2. With respect to the insurance provided by this endorsement, the following are added to Paragraph 2. **Exclusions under Section I - Coverage A - Bodily Injury And Property Damage Liability:**

This insurance does not apply to:

- a. "Bodily injury" or "property damage" arising from the sole negligence of the additional insured.
- b. "Bodily injury" or "property damage" that occurs prior to you commencing operations at the location where such "bodily injury" or "property damage" occurs.
- c. "Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:
 - (1) The preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; or
 - (2) Supervisory, inspection, architectural or engineering activities.

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of, or the failure to render, any professional architectural, engineering or surveying services.

- d. "Bodily injury" or "property damage" occurring after:
 - (1) All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
 - (2) That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.
- e. Any person or organization specifically designated as an additional insured for ongoing operations by a separate **ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS** endorsement issued by us and made a part of this policy.

3. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

- a. Required by the contract or agreement; or
 - b. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

H. PRIMARY AND NON-CONTRIBUTORY ADDITIONAL INSURED EXTENSION

This provision applies to any person or organization who qualifies as an additional insured under any form or endorsement under this policy.

Condition 4. **Other Insurance of SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS** is amended as follows:

- a. The following is added to Paragraph a. **Primary Insurance:**

If an additional insured's policy has an Other Insurance provision making its policy excess, and you have agreed in a written contract or written agreement to provide the additional insured coverage on a primary and noncontributory basis, this policy shall be primary and we will not seek contribution from the additional insured's policy for damages we cover.

b. The following is added to Paragraph b. Excess Insurance:

When a written contract or written agreement, other than a premises lease, facilities rental contract or agreement, an equipment rental or lease contract or agreement, or permit issued by a state or political subdivision between you and an additional insured does not require this insurance to be primary or primary and non-contributory, this insurance is excess over any other insurance for which the additional insured is designated as a Named Insured.

Regardless of the written agreement between you and an additional insured, this insurance is excess over any other insurance whether primary, excess, contingent or on any other basis for which the additional insured has been added as an additional insured on other policies.

I. ADDITIONAL INSURED - EXTENDED PROTECTION OF YOUR "LIMITS OF INSURANCE"

This provision applies to any person or organization who qualifies as an additional insured under any form or endorsement under this policy.

1. The following is added to Condition 2. Duties In The Event Of Occurrence, Offense, Claim or Suit:

An additional insured under this endorsement will as soon as practicable:

- a.** Give written notice of an "occurrence" or an offense that may result in a claim or "suit" under this insurance to us;
 - b.** Tender the defense and indemnity of any claim or "suit" to all insurers whom also have insurance available to the additional insured; and
 - c.** Agree to make available any other insurance which the additional insured has for a loss we cover under this Coverage Part.
 - d.** We have no duty to defend or indemnify an additional insured under this endorsement until we receive written notice of a "suit" by the additional insured.
- 2.** The limits of insurance applicable to the additional insured are those specified in a written contract or written agreement or the limits of insurance as stated in the Declarations of this policy and defined in **Section III – Limits of Insurance** of this policy, whichever are less. These limits are inclusive of and not in addition to the limits of insurance available under this policy.

**J. WHO IS AN INSURED - INCIDENTAL MEDICAL ERRORS / MALPRACTICE
WHO IS AN INSURED - FELLOW EMPLOYEE EXTENSION - MANAGEMENT EMPLOYEES**

Paragraph 2.a.(1) of Section II - Who Is An Insured is replaced with the following:

(1) "Bodily injury" or "personal and advertising injury":

- (a)** To you, to your partners or members (if you are a partnership or joint venture), to your members (if you are a limited liability company), to a co-"employee" while in the course of his or her employment or performing duties related to the conduct of your business, or to your other "volunteer workers" while performing duties related to the conduct of your business;
- (b)** To the spouse, child, parent, brother or sister of that co-"employee" or "volunteer worker" as a consequence of Paragraph (1) (a) above;
- (c)** For which there is any obligation to share damages with or repay someone else who must pay damages because of the injury described in Paragraphs (1) (a) or (b) above; or
- (d)** Arising out of his or her providing or failing to provide professional health care services. However, if you are not in the business of providing professional health care services or providing professional health care personnel to others, or if coverage for providing professional health care services is not otherwise excluded by separate endorsement, this provision (Paragraph (d)) does not apply.

Paragraphs (a) and (b) above do not apply to "bodily injury" or "personal and advertising injury" caused by an "employee" who is acting in a supervisory capacity for you. Supervisory capacity as used herein means the "employee's" job responsibilities assigned by you, includes the direct supervision of other "employees" of yours. However, none of these "employees" are insureds for "bodily injury" or "personal and advertising injury" arising out of their willful conduct, which is defined as the purposeful or willful intent to cause "bodily injury" or "personal and advertising injury", or caused in whole or in part by their intoxication by liquor or controlled substances.

The coverage provided by provision J. is excess over any other valid and collectable insurance available to your "employee".

K. NEWLY FORMED OR ADDITIONALLY ACQUIRED ENTITIES

Paragraph 3. of **Section II - Who Is An Insured** is replaced by the following:

3. Any organization you newly acquire or form and over which you maintain ownership or majority interest, will qualify as a Named Insured if there is no other similar insurance available to that organization. However:
 - a. Coverage under this provision is afforded only until the expiration of the policy period in which the entity was acquired or formed by you;
 - b. Coverage A does not apply to "bodily injury" or "property damage" that occurred before you acquired or formed the organization; and
 - c. Coverage B does not apply to "personal and advertising injury" arising out of an offense committed before you acquired or formed the organization.
 - d. Records and descriptions of operations must be maintained by the first Named Insured.

No person or organization is an insured with respect to the conduct of any current or past partnership, joint venture or limited liability company that is not shown as a Named Insured in the Declarations or qualifies as an insured under this provision.

L. FAILURE TO DISCLOSE HAZARDS AND PRIOR OCCURRENCES

Under **Section IV – Commercial General Liability Conditions**, the following is added to Condition 6. **Representations:**

Your failure to disclose all hazards or prior "occurrences" existing as of the inception date of the policy shall not prejudice the coverage afforded by this policy provided such failure to disclose all hazards or prior "occurrences" is not intentional.

M. KNOWLEDGE OF OCCURRENCE, OFFENSE, CLAIM OR SUIT

Under **Section IV – Commercial General Liability Conditions**, the following is added to Condition 2. **Duties In The Event of Occurrence, Offense, Claim Or Suit:**

Knowledge of an "occurrence", offense, claim or "suit" by an agent, servant or "employee" of any insured shall not in itself constitute knowledge of the insured unless an insured listed under Paragraph 1. of **Section II – Who Is An Insured** or a person who has been designated by them to receive reports of "occurrences", offenses, claims or "suits" shall have received such notice from the agent, servant or "employee".

N. LIBERALIZATION CLAUSE

If we revise this Commercial General Liability Extension Endorsement to provide more coverage without additional premium charge, your policy will automatically provide the coverage as of the day the revision is effective in your state.

O. BODILY INJURY REDEFINED

Under **Section V – Definitions**, Definition 3. is replaced by the following:

3. "Bodily Injury" means physical injury, sickness or disease sustained by a person. This includes mental anguish, mental injury, shock, fright or death that results from such physical injury, sickness or disease.

P. EXTENDED PROPERTY DAMAGE

Exclusion a. of COVERAGE A. BODILY INJURY AND PROPERTY DAMAGE LIABILITY is replaced by the following:

a. Expected Or Intended Injury

"Bodily injury" or "property damage" expected or intended from the standpoint of the insured. This exclusion does not apply to "bodily injury" or "property damage" resulting from the use of reasonable force to protect persons or property.

Q. WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US – WHEN REQUIRED IN A CONTRACT OR AGREEMENT WITH YOU

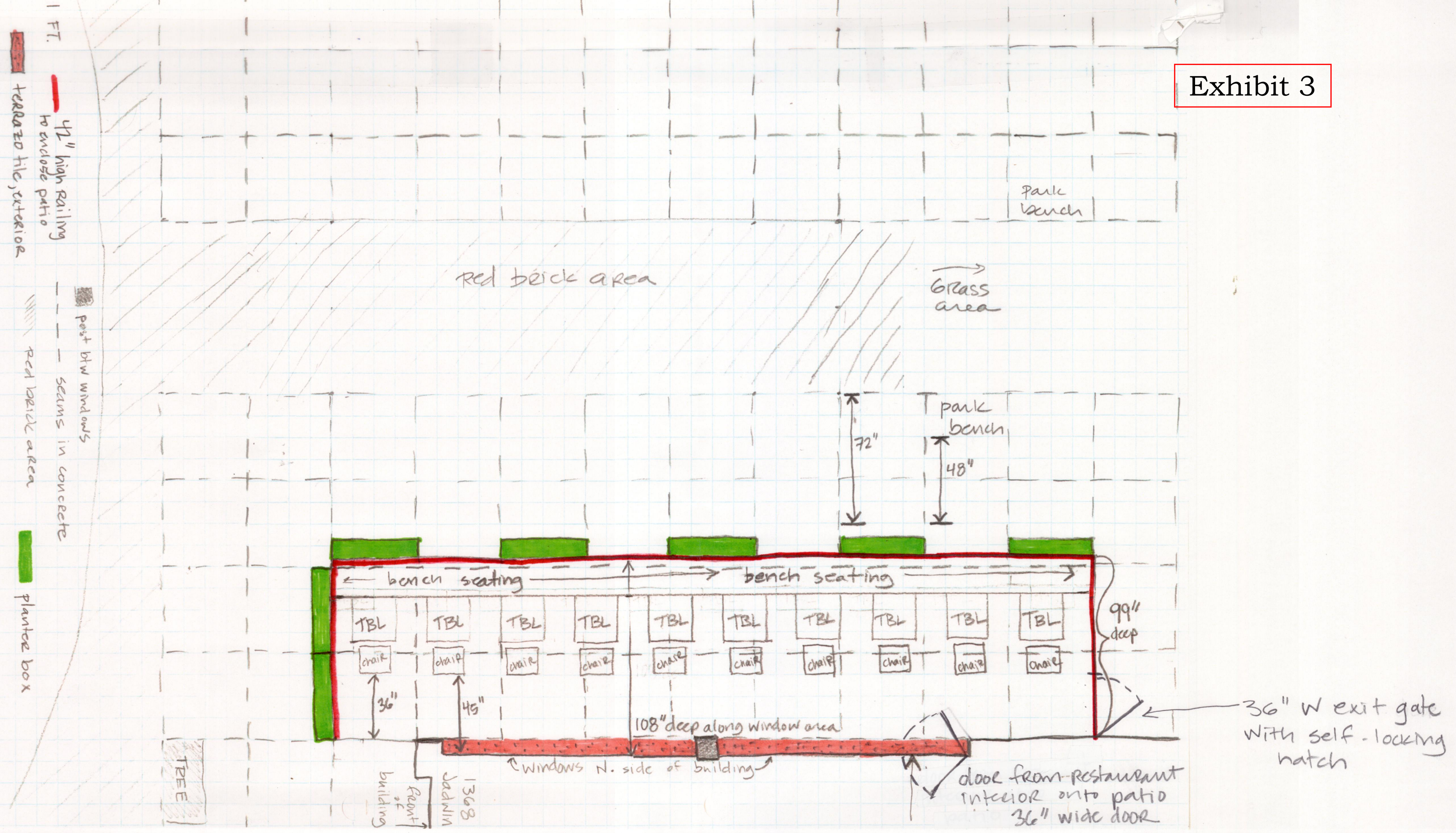
Under **Section IV – Commercial General Liability Conditions**, the following is added to Condition 8. **Transfer Of Rights Of Recovery Against Others To Us**:

We waive any right of recovery we may have against a person or organization because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard" provided:

1. You and that person or organization have agreed in writing in a contract or agreement that you waive such rights against that person or organization; and
2. The injury or damage occurs subsequent to the execution of the written contract or written agreement.

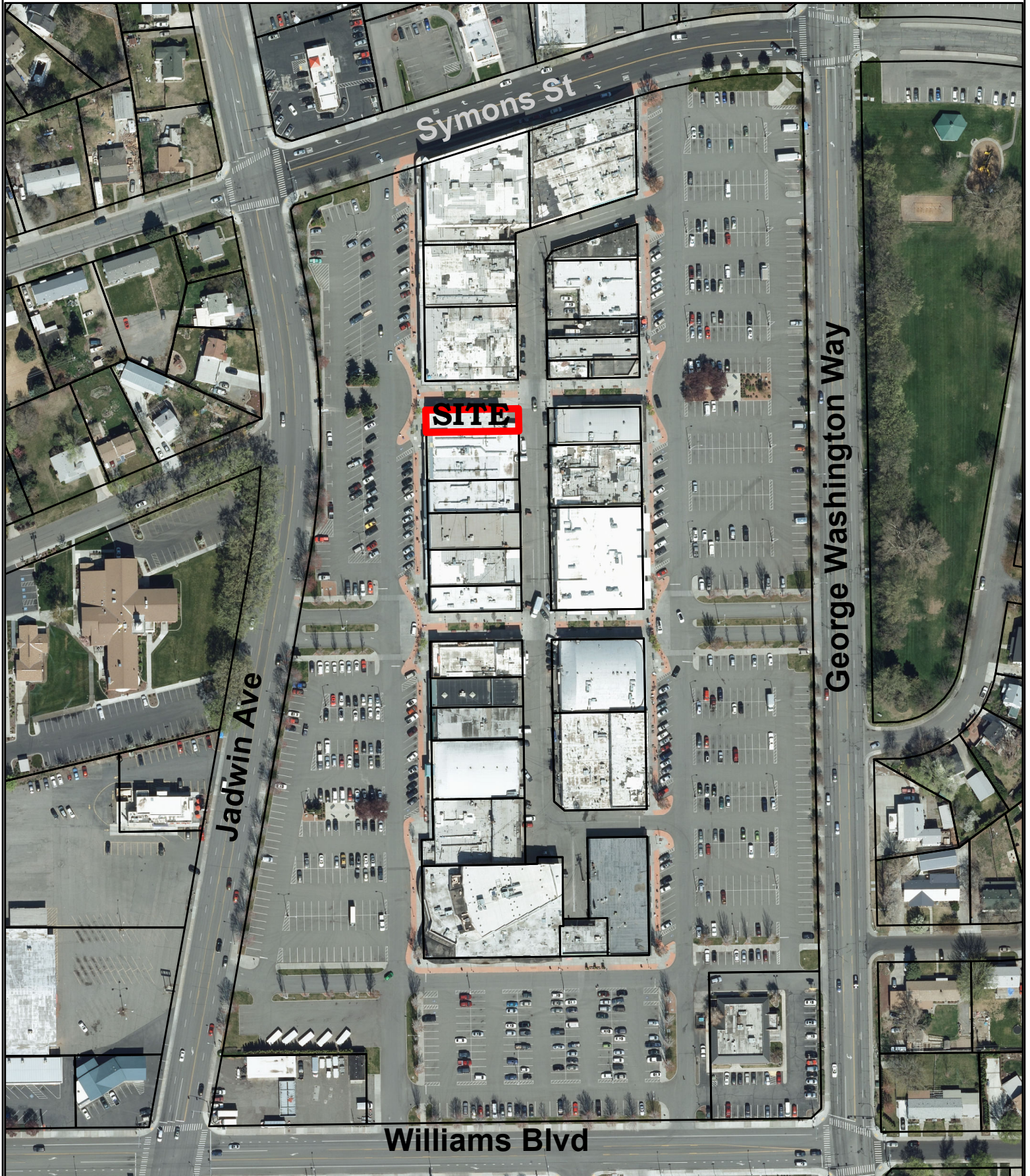
Exhibit 3

Doveetail Joint Restaurant



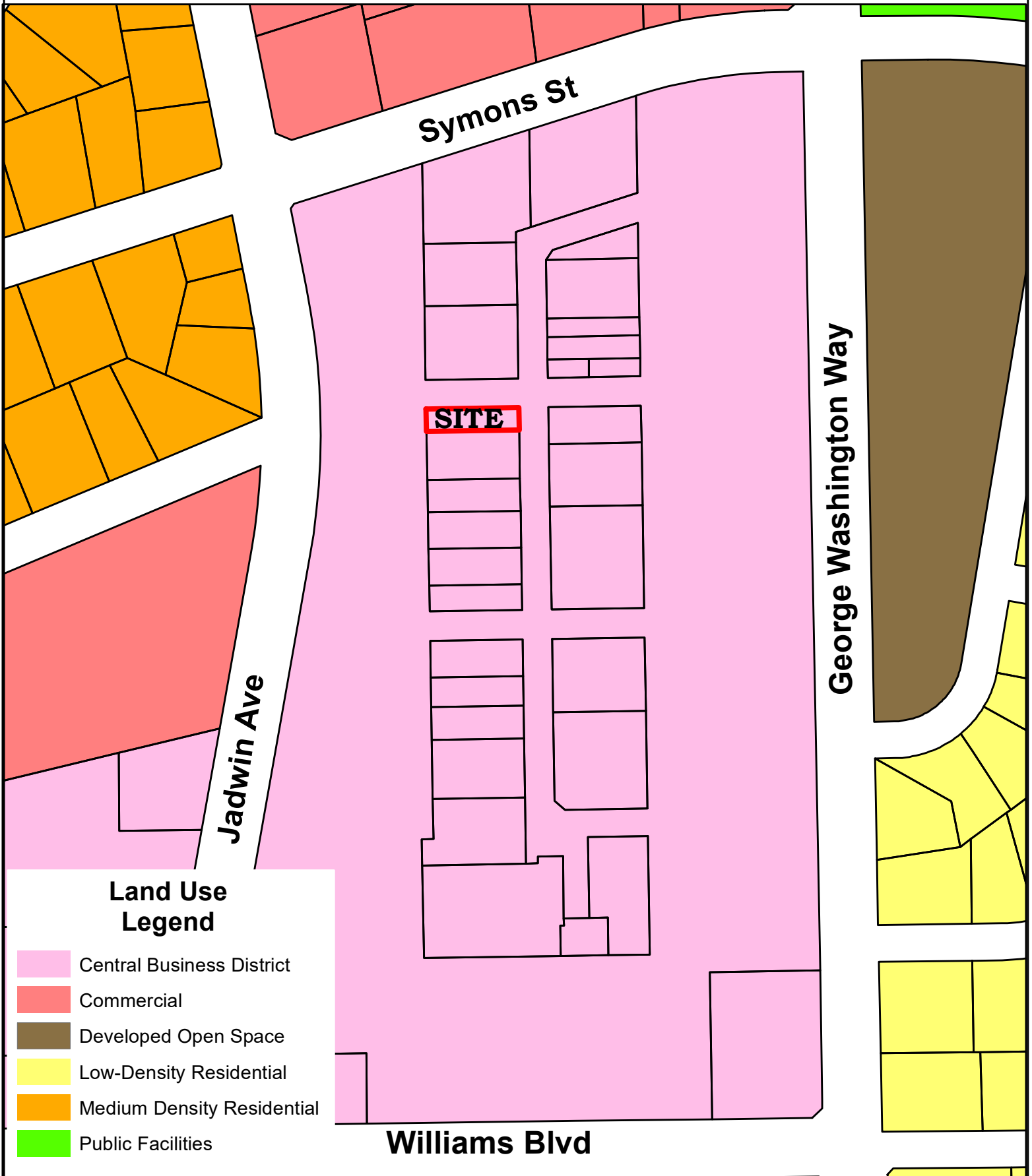
Vicinity Map

Item: Dovetail Joint Sidewalk Use License
Applicant: Maren & Matt McGowan
File #: SUL2019-100



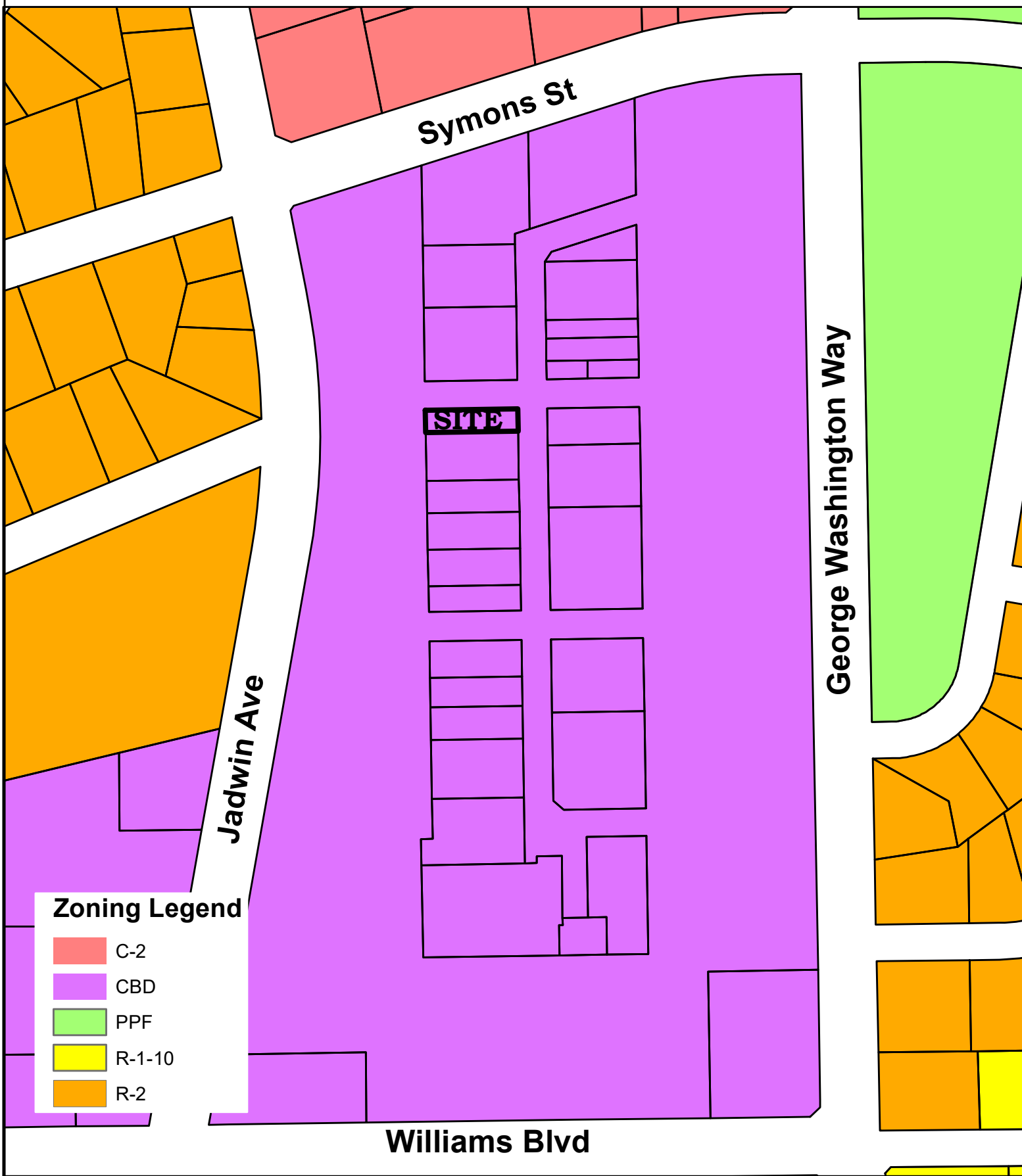
Land Use Map

Item: Dovetail Joint Sidewalk Use License
Applicant: Maren & Matt McGowan
File #: SUL2019-100



Zoning Map

Item: Dovetail Joint Sidewalk Use License
Applicant: Maren & Matt McGowan
File #: SUL2019-100



License Area Map

Item: Dovetail Joint Sidewalk Use License
Applicant: Maren & Matt McGowan
File #: SUL2019-100

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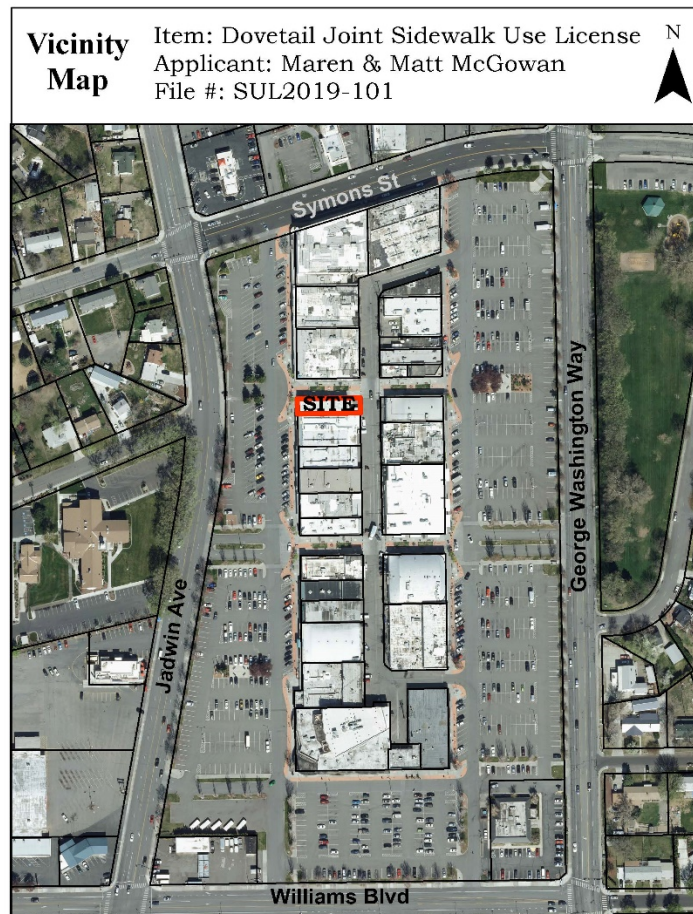


CITY OF RICHLAND NOTICE OF APPLICATION & PUBLIC HEARING (SUL2019-100)

Notice is hereby given that Maren & Matthew McGowan have applied for a sidewalk use license to install and operate a 324 square-foot outdoor sidewalk café adjacent to their restaurant. The property, addressed 1368 Jadwin Avenue, is located in the Uptown Mall, which lies between George Washington Way and Jadwin Avenue, north of Williams Blvd. and south of Symons Street.

A public hearing on the proposed sidewalk use license will be held before the Planning Commission on Wednesday, June 26, 2019 at 6:00 pm in the Council Chambers, 625 Swift Blvd., Richland WA 99352. Application materials are available to the public and can be viewed at www.ci.richland.wa.us.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 625 Swift Blvd., Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Monday, June 17, 2019 to be incorporated into the staff report. Comments received after that date will be entered into the record during the hearing.



AFFIDAVIT OF POSTING

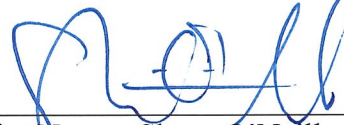
STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Shane O'Neill**, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.

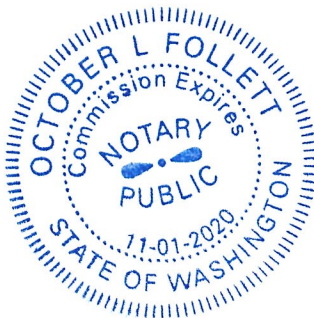
2. On the 29th day of May, 2019, I posted the attached NOTICE OF PUBLIC HEARING, File Number SUL2019-100 on the property addressed 1368 Jadwin Ave in Richland WA:

PIN # 1-02983020708011

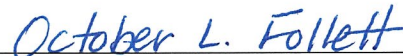


Print Name: Shane O'Neill

SIGNED AND SWORN to before me this 29th day of May, 2019 by SHANE O'NEILL.



Signature of Notary



Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

My appointment expires: 11-1-2020

AFFIDAVIT OF POSTING - 1

SUL2019-100
Dovetail Joint Sidewalk Use License

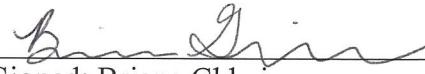
AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

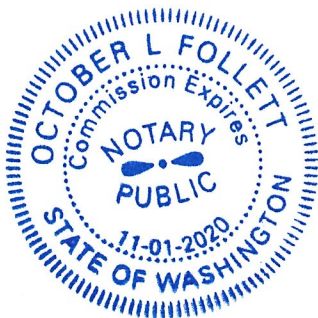
COMES NOW, Briana Ghbein, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.

2. On the 30th day of May, 2019, I mailed a copy of the attached NOTICE OF APPLICATION AND PUBLIC HEARING (SUL2019-100) to the attached list of individuals via regular USPS on the date indicated above. The Notice of Application is for a Sidewalk Use License (SUL2019-100) on behalf of Maren & Matthew McGowan to install and operate a 324 square-foot outdoor sidewalk café adjacent to their restaurant, Dovetail Joint, at 1368 Jadwin Ave. The property is located in the Uptown Mall, which lies between George Washington Way and Jadwin Ave, north of Williams Blvd, and south of Symons St. The Planning Commission will conduct a public hearing and review of the application on June 26, 2019 in the Richland City Council Chambers, 625 Swift Boulevard.


Signed: Briana Ghbein

SIGNED AND SWORN to before me this 30th day of May, 2019 by October L. Follett.




Notary Public in and for the State of Washington,

October L. Follett
Print Name
Residing at Benton County
My appointment expires: 11.1.2020

Owner	Mail Address	City	State	Zip
JCLTG LLC	325 HANFORD ST	RICHLAND	WA	99354
SAMAKE FATOUMATA	99302 E SIDIBE PRSE	KENNEWICK	WA	99338
WEAVER HEATHER N & MICHAEL D	1327 JADWIN AVE	RICHLAND	WA	99354
CHURCH OF LATTER DAY SAINTS	50 E NORTH TEMPLE RM 2225	SALT LAKE CITY	UT	84150-0022
MSR PROPERTIES	1324 VENDELS CIR STE 121	PASO ROBLES	CA	93446
L R BAILEY INC	703 N BRIDGE PR NE	BENTON CITY	WA	99320
JADWIN INVESTMENTS LLC	147 SHERMAN ST	RICHLAND	WA	99354
LI MING JIAN & FEN JIN SU	1342 JADWIN AVE	RICHLAND	WA	99354-3404
FINFROCK SCOTT H & FRANCES M S	231 BUCKHAR LN	AIKEN	SC	29803-8998
SANCHEZ ALEXIS J & EVARISTO J	504 STANLEY ST	RICHLAND	WA	99354-3208
FRANKLIN TRUSTEE ROY	142 PINETREE LN	RICHLAND	WA	99352-9625
BAK CHONG W	2412 S FILLMORE PL	KENNEWICK	WA	99338
FLINT HOLDINGS LLC	3400 W CLEARWATER STE 1	KENNEWICK	WA	99336-2709
VOLPENTEST INVESTMENT ASSOC	3880 W VAN GIESEN	WEST RICHLAND	WA	99353
THOMPSON MARK W & ELIZABETH A	PO BOX 7271	KENNEWICK	WA	99336
V F W POST 7952	1369 GEORGE WASHINGTON WAY	RICHLAND	WA	99354-3401
UPTOWN LLC	1191 PLATEAU DR	RICHLAND	WA	99352-7337

Chapter 5.14
SIDEWALK USE LICENSE

Sections:

- 5.14.010 Definitions.**
- 5.14.020 License required.**
- 5.14.030 Application.**
- 5.14.040 Uses allowed.**
- 5.14.050 Terms and conditions.**
- 5.14.060 Liquor.**
- 5.14.070 Public hearing required for sidewalk use license.**
- 5.14.080 Return of sidewalk to original condition.**
- 5.14.090 Release of liability, surety and insurance.**
- 5.14.100 Sidewalk condition.**
- 5.14.110 Vested rights not created.**
- 5.14.120 Compensation.**
- 5.14.130 Design and placement standards.**

5.14.010 Definitions.

“Air space” means the vertical area above city sidewalks or right-of-way that is projected upon by private signs, building elements, canopies, awnings, flags, banners, antennas, or overhead pedestrian walkways.

“Allowed merchandise” are products permitted for sale in the adjoining zoning district.

“Decoration” refers to privately owned objects placed on city-owned sidewalks including, but not limited to, seasonal ornament displays, lighting, flags, landscape planters and artwork.

“Merchandise display” means to place objects for sale by an adjoining, licensed business operating on private property on a city-owned sidewalk.

“Newsstands and mail services” are facilities intended to distribute newspapers, magazines and other literature or other facilities providing mail and package drop-off services.

“Sidewalk cafe” means an open-air seating area on a public sidewalk provided by an eating or drinking establishment located on the adjoining property and delineated by a fixed, semi-permanent enclosure such as a rail, wall or other partition.

“Sidewalk furniture” means any temporary and unaffixed improvements used as seating, tables, weather protection, or signage.

“Surety instrument” means a performance bond supplied by a licensee to guarantee the return of city property in an original, prelicense condition.

“Vending cart” is a nonmotorized cart used to prepare, store and sell food products. [Ord. 09-09].

5.14.020 License required.

The community development department will issue licenses for limited use of the city’s sidewalks and airspace. It shall be unlawful to utilize city sidewalks and rights-of-way, and air space over the sidewalks and rights-of-way, without a license. Decoration, merchandise display, sidewalk furniture, newsstands and mail services are not subject to the license requirement but remain subject to the remaining standards of this chapter. [Ord. 09-09].

5.14.030 Application.

An application for a sidewalk use license shall be made available from the community development department. A completed application including all necessary supporting plans and diagrams will initiate a maximum 60-day review period. There will be a \$200.00 fee for the license. [Ord. 09-09].

5.14.040 Uses allowed.

Subject to the conditions and limitations set forth in this chapter, the city will allow use of city-owned sidewalks or fee simple public property, by property or business owners for newsstands and mail services and by adjoining property or business owners for merchandise display, decoration, sidewalk cafes, sidewalk furniture, vending carts, and air space intrusions. In no circumstance will uses or encroachments be allowed within right-of-way or fee simple property utilized by vehicular traffic. [Ord. 09-09].

5.14.050 Terms and conditions.

- A. The community development department may issue a sidewalk use license only if:
1. The applicant is the owner of the adjoining property or business or is a designated representative, except for newsstands and mail service applications;
 2. The proposed use would not unduly and unreasonably impair passage to and from by the public on the sidewalk for which the license is sought and is consistent with the design standards contained herein; and
 3. Proposed sidewalk cafe users obtain an approved food-service establishment permit issued by the Benton-Franklin health department and a liquor license by the State of Washington Liquor Control Board, if applicable, and that said permits include the sidewalk use area, prior to issuance of a sidewalk use license.
- B. The community development department may include in the license such terms and conditions as the department may deem appropriate to satisfy applicable local, state and federal standards in addition to: general compatibility of the proposed sidewalk with the existing neighborhood, special events, and public access, high visual quality; and facilitation of a harmonious relationship between the public and private sectors. Conditions attached to a license approval may include, but are not limited to, the following:
1. Restrictions as to the number and placement of tables and chairs and as to the hours and dates of use;
 2. Provisions that the licensee shall maintain the adjoining sidewalk in a clean and safe condition for pedestrian travel;
 3. A requirement that the licensee clear the sidewalk as may be reasonably necessary to accommodate deliveries to adjacent or other nearby properties;
 4. Regulations upon lighting and illumination of the sidewalk cafe; limitations upon noise; and restrictions upon the placement of equipment;
 5. The prompt repair of damaged or failing improvements that present a safety risk to the public;
 6. Collection of indemnity documentation, insurance, and/or surety instruments as contained herein;

7. Duration of the license and renewal procedure;
8. A requirement that furniture, equipment, and other appurtenances related to sidewalk uses remain clean, in good repair and sightly.

C. Unless expressly authorized by the city no pavement shall be broken, no sidewalk surface disturbed, and no permanent fixture of any kind shall be installed in or on sidewalk area in connection with a sidewalk use.

D. The community development department may suspend or revoke the permission granted if an applicant violates this title, any implementing rules, or the terms and conditions of the permit not sooner than 10 calendar days following written notice of intent to suspend or revoke the license. Suspension or revocation of a sidewalk use license is appealable to the city manager consistent with RMC [5.04.560](#). [Ord. 09-09].

5.14.060 Liquor.

Liquor, as defined in RCW [66.04.010](#)(16), as now existing or hereinafter amended, may be used and sold at a sidewalk cafe when authorized in both the sidewalk use permit and provided for in this chapter and by permit of the Washington State Liquor Control Board, and not otherwise. [Ord. 09-09].

5.14.070 Public hearing required for sidewalk use license.

Proposed sidewalk cafes and use of public air space shall require a public hearing. Notice of public hearing shall be published at least once in the official newspaper of the city. In addition, written notice shall be mailed to the owner or owners of the property involved, and to all property owners of record within a radius of 300 feet of subject property pursuant to a title insurance company report required by RMC [23.70.190](#). Both published and mailed notices shall be given at least 10 days in advance of the public hearing. The notice of hearing shall also be affixed to the property to be clearly seen from the proposed sidewalk use area at least 10 days in advance of the public hearing.

The notice of a public hearing required in this chapter shall at a minimum contain: the name of the applicant; the nature of the proposed use including a diagram clearly delineating the sidewalk, pedestrian circulation, proposed outdoor seating area, any fence, wall or partition wall, any proposed overhead projections into the city's air space, and adjoining buildings; and description of the affected property, which may be in the form of either a vicinity map or written description, reasonably sufficient to inform the public of its location; the date, time and place of the hearing; a statement that all interested persons may appear and provide testimony and the location where information may be examined prior to the hearing.

The planning commission shall conduct an open record public hearing and shall issue a decision by a recorded motion, which shall incorporate the findings of fact of the commission and the reasons for its action; and the motion shall refer expressly to the maps, description and other matters intended by the commission to constitute approval. The planning commission's findings of fact shall be based on: general compatibility of the proposed sidewalk use with the existing neighborhood, special events and pedestrian access; coordination with state and local regulations for liquor consumption and food

establishments, and assurance that the public is protected via appropriate insurance and surety instruments.

Any sidewalk use license decision made by the planning commission shall be subject to appeal to the city council. [Ord. 09-09].

5.14.080 Return of sidewalk to original condition.

The licensee shall return the sidewalk to original, prelicense condition at no cost to the city at the time a license expires or the sidewalk use ceases. [Ord. 09-09].

5.14.090 Release of liability, surety and insurance.

A. Release of Liability. All persons utilizing the city sidewalk for air space, sidewalk cafe, and/or vending carts shall release the city from liability on a form available from the community development department in writing and acknowledged by the applicant, to hold and save the city free and harmless from any and all claims, actions or damages of every kind and description which may accrue to, or be suffered by, any persons by reason of or related to the operation of such sidewalk use. In addition, such agreement shall contain a provision that the permit is wholly of a temporary nature, that it vests no permanent right whatsoever, that upon 30 days' notice, posted on the premises, or by publication in the official newspaper of the city, or without such notice, in case the permitted use shall become dangerous or unsafe, or shall not be operated in accordance with the provisions of this title, the same may be revoked and the improvements shall be removed by the licensee immediately or by the city using associated surety instrument, if any, at the discretion of the community development director or designee.

B. Surety Instrument. Certain sidewalk uses will require the licensee to post a surety bond to ensure the return of the sidewalk to an original, prelicense condition.

C. Insurance. Sidewalk cafes shall in addition to releasing liability and providing a surety instrument also extend private commercial building insurance to include the sidewalk use area allowed in an associated license and name the city of Richland as an additional insured and provide \$1,000,000 of accident coverage per incident. Said insurance shall include a provision prohibiting cancellation or reduction in coverage of policy except upon 30 days' prior written notice to the city. The amount of insurance coverage may be adjusted annually by the city and notice of such adjustment shall be given in writing to the licensee. A sidewalk use license for a sidewalk cafe will be revoked if the necessary private insurance does not remain in full effect.

The community development director shall require such release of liability, license, surety instrument and/or private insurance as follows (Y = yes and N = no):

Type of Use	Release of Liability	License Required	Surety Instrument	Private Insurance	Public Hearing
Air Space	Y	Y	N	Y	Y
Decoration	N	N	N	N	N
Newsstand and Mail Services	N	N	N	N	N

Type of Use	Release of Liability	License Required	Surety Instrument	Private Insurance	Public Hearing
Merchandise Display	N	N	N	N	N
Sidewalk Cafe	Y	Y	Y*	Y	Y
Sidewalk Furniture	N	N	N	N	N
Vending Cart	Y	Y	N	Y	N

* If substantial modifications are made to city property, that are undesirable if the use ceases. Surety instrument, if required, shall be 115 percent of the estimated cost to revert the improvement to a prelicense, original condition as determined by the city engineer.

5.14.100 Sidewalk condition.

The applicant shall comply with the terms and conditions of the sidewalk use license issued and maintain the sidewalk clean and free of debris, refuse, stains, and in a safe condition for pedestrian travel, and shall immediately clear the sidewalk area when ordered to do so by the community development director or other appropriate city officer such as the chief of police or fire chief or their authorized representatives for matters of public safety, health and welfare.

5.14.110 Vested rights not created.

The grant of sidewalk uses pursuant to this chapter shall be subject always to the city's ownership of the right-of-way and the public health, safety, convenience and necessity. Grant of a sidewalk use shall not constitute a street vacation. No vested rights shall be created by grant of any sidewalk use. Such limitation shall be prominently displayed on all permits issued pursuant to this chapter.

5.14.120 Compensation.

Authorized sidewalk uses benefit the public by offering an active and pleasing streetscape environment and no compensation is therefore required.

5.14.130 Design and placement standards.

A. Exceptions. Sidewalk uses are expected to meet these design standards except in cases where special accommodation is made by the city via contract, special event permit, or other approval.

B. Pedestrian Clear Area. Sidewalk uses shall be placed so as to maintain at least five feet in width of unobstructed pedestrian travel and no more than 30-degree changes of direction around uses. The pedestrian clear area does not include the radius for the door openings of buildings.

C. Separation from Curb. Sidewalk uses may be placed adjacent to buildings and not closer than two feet from the curb and shall accommodate the pedestrian clear area. In all cases, the intersection sight distance, as required in Chapter [12.11](#) RMC, shall be met.

D. Fencing. Unless otherwise determined by the community development director, any containment of outdoor cafes shall be limited to 36 inches high maximum and shall allow at least 50 percent visibility.

E. Overhead Use of City Airspace. No projection of private building elements, signage, antennas, flags, banners, awnings, canopies, or overhead pedestrian walkways shall occur lower than 10 feet as measured vertically from sidewalk grade and shall meet Washington State Department of Transportation clearance standards for particular street classifications.

F. Allowable Sidewalk Use Area. Only portions of the sidewalk that directly adjoin a property for which a license is sought are eligible for use, except sidewalks used for newsstands and mail services.

G. Any vending cart shall be removed from the city right-of-way daily.

H. Newsstands and mail delivery services shall not: impair loading; hinder egress from parked vehicles; open toward the roadway if located on the curbside of the sidewalk; obscure signage; be fastened to any public utility poles, signs or equipment; contain advertising other than that which relates exclusively to the publication sold or distributed; or be used for purposes other than the sale and distribution of such publications.